

JAMES BUCHANAN:
ADVOCATE IN CONGRESS, CABINET,
AND PRESIDENCY

By

JOHN A. CAMPBELL, JR.

A DISSERTATION PRESENTED TO THE GRADUATE COUNCIL OF
THE UNIVERSITY OF FLORIDA
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE
DEGREE OF DOCTOR OF PHILOSOPHY

UNIVERSITY OF FLORIDA

1968



Digitized by the Internet Archive
in 2009 with funding from
University of Florida, George A. Smathers Libraries

Copyright by
John A. Campbell, Jr.
1968

ACKNOWLEDGMENTS

The writer gratefully acknowledges the assistance given him in the preparation of this dissertation by the members of his Supervisory Committee, Professors William E. Baringer, Herbert J. Doherty, C. Franklin Karns, and Leland L. Zimmerman, and especially to the Chairman of the Committee, Professor Donald E. Williams.

TABLE OF CONTENTS

Chapter	Page
I. INTRODUCTION	1
II. JAMES BUCHANAN: A RHETORICAL PORTRAIT	18
III. APPLICATION OF THE "LOWNDES FORMULA" IN HOUSE DEBATE . .	52
IV. A JACKSONIAN "ADVOCATE" AMIDST SENATE PARTY BATTLES . .	95
V. BETWEEN JAMES POLK AND JOHN BULL, A VOICE OF COMPROMISE	122
VI. THE RHETORICAL STRATEGY OF PRESERVING PEACE	154
VII. CONCLUSIONS	193
BIBLIOGRAPHY	204

CHAPTER I

INTRODUCTION

A recent biographer of James Buchanan remarks that his many talents might have won him an honored place among the greater presidents had he served during a less turbulent era.¹ His abilities were evidently recognized by many of his contemporaries, however, since his state and country called on him repeatedly to render public service. Buchanan served in so many important posts before reaching the White House, posts of wide ranging scope and complexity, that possibly it could be argued that no man ever came to the Presidency better qualified for the job in terms of length, breadth, and quality of experience. Inevitably, such a combination of experience and ability at work in American political life involves the art of public speaking. The purpose of this dissertation is to describe, analyze, and evaluate the public speaking of James Buchanan throughout his lengthy political career. This chapter sets forth the specific purposes of the work and methods of criticism to be employed in the study. Because of the subject's controversial reputation, however, it will first be necessary to examine the conflicting schools of historians who have sought to appraise Buchanan since the Civil War.

¹Philip S. Klein, President James Buchanan (University Park, Pa., 1962), p. 429.

The Verdict of History

James Buchanan served his state and nation for forty years but historians have chosen to judge him on his record during the last one hundred and fifty days of his presidency. Twenty years in Congress, five years abroad in ambassadorial positions, and four years as premier of Polk's Cabinet, all public years involving many significant events, are overshadowed by the crucial few months between Lincoln's election and inauguration. It was during this relatively short period that the seeds of secession sprouted, confronting Buchanan and his administration with several alternatives. Coercion, disunion, postponement were among the courses open to those at the helm in 1860-1861. The wisdom of the tack Buchanan took has been debated for a century. Historians have judged Buchanan according to his action during this period seemingly on the assumption that he alone could alter the course of human events.

A colorful variety of opinions have been offered. Auchampaugh says Buchanan has been wrongly "hailed as the Arnold of the Sixties,"² while Klein felt "a quieter era might have gained for him a place among the great presidents of his country."³ Henry Cabot Lodge said that Buchanan, although not a traitor, did, "through sheer weakness and helplessness, the things that a traitor would have done."⁴ Amid these conflicting judgments, there appears to be a division of historians into three distinct categories.

²Philip G. Auchampaugh, James Buchanan and His Cabinet (Lancaster, Pa., 1926), p. 3.

³Klein, Buchanan, p. 429.

⁴Congressional Record, Vol. 56, part 8, 7878.

First, many nineteenth century post-bellum historians fall into the class of Northern "detractors." Revisionists sympathetic to Buchanan began to appear in the 1880's. More recently, historians plead for dispassionate re-examination of Buchanan's role in the crisis of the sixties.

As many Southerners feared, "to the South's overflowing cup would be added the bitter taste of having the history of the war written by Northerners for at least fifty years."⁵ The names of James Schouler, Herman E. von Holst, and James W. Burgess are among those northern writers who grew up during the dispute over slavery, inherited the Northern point of view toward that institution, and wrote the history of the fifties and sixties from an anti-Buchanan bias. These men, more literary than historical, less scientific than passionate, chose to dwell upon Buchanan's weaknesses rather than his strengths. All nationalists, they accepted Seward's thesis of the "inevitable conflict" and indicted Buchanan for not taking forthright military action against the seceding states. These "prosecuting historians" wrote as though individual men could influence the march of history especially during "sublime episodes of political and military strife."⁶ Most Northern detractors found Buchanan's December 3rd, 1860, Address to Congress an inexcusable and cowardly pronouncement of ineptness and indecisiveness.

James Schouler, author of an exhaustive series of works on American history, not only thought the December 3rd Address an act

⁵Michael Kraus, A History of American History (New York, 1937), p. 336.

⁶Frank Wyson Klingberg, "James Buchanan and the Crisis of the Union," Journal of Southern History, IX, 457.

of cowardice and a "renunciation of responsibility," but also said it encouraged disunion because Buchanan's loyalty to the Union was expressed in the form of an apology.⁷ These conclusions were prompted by Schouler's strong personal conviction that slavery was "both wasteful and unrighteous."⁸

Another historian with a strong anti-slavery bias was Herman E. von Holst. Von Holst agreed with Buchanan that there were Constitutional limitations upon executive power to maintain the Union but condemned the President for not inspiring "the people with a will to take the bull by the horns at this stage of the secession."⁹ Buchanan did not provide leadership, von Holst continued, and therefore "it came to pass that the years of the republic's highest moral energy were preceded by those months of deepest darkness, during which it seemed as if the people...had fallen into a condition of the most wretched impotence."¹⁰ These passages reveal von Holst's nonobjective approach to Buchanan and exemplify the "great man" premise common among nineteenth century post-bellum writers.¹¹

Another Northern detractor was James Ford Rhodes. Rhodes was less attached to the view that a single man may chart the course of history but was still representative of the Northern nationalist

⁷James Schouler, A History of the United States Under the Constitution, (New York, 1880-89), V, 427.

⁸Klingberg, p. 459.

⁹Von Holst, as cited in Klingberg, p. 459.

¹⁰Ibid.

¹¹Klingberg, p. 457.

school of writers subscribing to the "irrepressible conflict" idea and critical of Buchanan's personal weaknesses. Buchanan alone could not have averted the secession crisis as Jackson had done with the nullification emergency in 1832; the crisis of 1860-61 was far greater than that facing Jackson, but its very greatness provided an opportunity for glory. Such an opportunity, contended Rhodes, was wasted on Buchanan, a man lacking innate qualities of greatness. More sympathetic toward Buchanan than Schouler and von Holst, his overall evaluation was nonetheless critical:

Those of us who hold to the idea of the irrepressible conflict can see in such a project [one of Buchanan's compromise proposals] no more than the delay of a war that was inevitable, a postponement proper indeed, if the compromise were not dishonorable--for the stars in their courses were fighting on the side of the North. Yet the weight of probability tends to the view that the day of compromise was past, and that the collision of sentiment shaping the ends of the North and the South, had now brought them both to the last resort of earnest men.¹²

Rhodes, writing ex post facto, expected Buchanan to see as clearly as he that all "last resorts" had been expended.

Nicolay and Hay also thought Buchanan had "served a lost cause" and led the nation through "a certain process of national suicide."¹³ Burgess conceded that Buchanan had been a man "of fair judgment and pure patriotism" as a younger man but thought that by 1860 he had become "old, timid, and ineffectual."¹⁴

The position of Northern detractors regarding Buchanan as

¹²James Ford Rhodes, History of the United States from the Compromise of 1850 (New York, 1892-1906), III, 135-136.

¹³John G. Nicolay and John Hay, Abraham Lincoln: A History (New York, 1917), II, 381.

¹⁴John W. Burgess, The Civil War and the Constitution, 1859-1865 (New York, 1901), p. 85.

expressed by representative historians in the class such as Schouler, von Holst, and Rhodes, rests on the performance of the President during the last one hundred and fifty days of his administration. They almost universally conclude that Buchanan was inept, indecisive, blundering, and negligent. They differ only in the degree to which Buchanan was responsible for the bloody war that followed and as to the causes of his failures. Some, like Schouler, believe Buchanan was a traitor to the Union, while less derisive writers like Rhodes and Burgess believe his faults were primarily the result of age and timidity. This verdict has been challenged by historians sympathetic to Buchanan and his policy of appeasement.

The first serious defense of Buchanan was offered by his official biographer, George Ticknor Curtis.¹⁵ Curtis was bent on vindicating the President and placing the blame on Republican Senators. The December 3rd Message was in full accord with Buchanan's training in the art of compromise. Buchanan's legalistic approach to the secession crisis employs the "true theory of our Constitution."¹⁶ Curtis accepted Buchanan's explanation of Executive responsibility in the secession matter, without qualification:

To the Executive Department it appropriately belonged to suggest the measures of conciliation needful for one of the alternatives of a sound and safe policy, and to execute the laws by the means with which the Executive was then or might thereafter be clothed by the legislature. But the Executive could not in the smallest degree increase the means which existing laws had placed in his hands.¹⁷

¹⁵George Ticknor Curtis, Life of James Buchanan, 2 vols. (New York, 1883).

¹⁶Ibid., II, 350.

¹⁷Ibid., II, 418-419.

Such a position was not indicative of timidity or irresolution but was the philosophy of a prudent and lawful man attempting to keep the peace and solve the greatest test the Union ever faced. In Curtis' opinion, blame should be placed upon the five Republican members of the Committee of Thirteen selected to consider the President's message of December 3rd. It was they who rejected the Crittenden Compromise in committee and aided other Republican Senators in the use of "parliamentary tactics" to prevent the passage of the same compromise when offered as a joint resolution on the floor of the Senate.¹⁸

Auchampaugh, a sympathetic revisionist, added words of vindication in his biography devoted to the history of Buchanan's life from the election of 1860 to the end of his administration. He concluded:

Buchanan had every reason to congratulate himself on the success of his policy. His main aim, to give things a peaceful direction, and prevent the opening of a terrible "Brother's War," had been accomplished midst terrific difficulties. At the same time, he had held the Northern members of his cabinet in his cabinet save one, thus preventing the disintegration of his Administration. No official recognition had been given the seceded States, so that his successor was under no commitment in this regard. Some Federal property had been taken, but other points had been reinforced. No stone had been left unturned to promote measures of compromise that would be fair to all concerned. The public was rapidly becoming quieted and reconciled to the idea that the Union could be saved without a "Brother's War." The President had also escaped the pitfalls of the Republicans, by standing firmly on his constitutional prerogatives, both in dealing with Congress and the Southern States. Few men beset by so many chances of pitfall have ever managed to extricate themselves so skillfully.¹⁹

¹⁸ Ibid., II, 432.

¹⁹ Auchampaugh, pp. 190-191.

Moore joined in the chorus of sympathizers by saying Buchanan's policy during the fateful crisis promised "the largest possible opportunity for conciliatory and healing measures. Efforts were repeatedly made, apparently in a spirit of hopefulness, by his successor as President, to find a basis of compromise."²⁰

The most recent biographer and writer of the most scholarly analysis of Buchanan's role in the crisis of 1860-61 is Philip S. Klein. His is the strongest voice ringing out in Buchanan's defense:

Buchanan assumed leadership of the United States when an unprecedented wave of angry passion was sweeping over the nation. That he held the hostile sections in check during these revolutionary times was in itself a remarkable achievement. His weaknesses in the stormy years of his presidency were magnified by enraged partisans of the North and the South. His many talents, which in a quieter era might have gained for him a place among the great presidents of his country, were quickly overshadowed by the cataclysmic events of civil war and by the towering personality of Abraham Lincoln. Of Buchanan it might be said, as it was later of another, "He staked his reputation on the supremacy of reason and lost."²¹

Sympathetic historians, then, emphasized the difficulties confronting Buchanan and applauded him for doing as well as he did. One, as noted above, would shift the blame for negligence onto the shoulders of others. Among these contradictory schools of opinion stands a group of writers influenced by the "new history," who pled for a dispassionate re-examination of Buchanan and his times. In so doing, they actually convey a more favorable image of Buchanan.

After the turn of the century, historians began to recognize the significance of evidence reflecting social attitudes. Such social historians as John B. McMaster and Frederick Jackson Turner

²⁰ John Bassett Moore, ed., Works of James Buchanan, 12 vols. (Philadelphia, 1908-1912), I, v.

²¹ Klein, Buchanan, p. 429.

promoted a re-examination of the crisis of 1860-61 in terms of social attitudes in the South as well as the North.²² Klingberg reports that "a new concept of the forces operating during the Civil War period was beginning to appear which suggested that the conflict might not have been 'irrepressible,' and that James Buchanan might have been something more than a weak man who crumbled under a mighty force."²³ The group of historians here called pleaders for re-evaluation, focus on the question of the "irrepressible conflict." Evidence of convincing mass indicates that "there is little doubt that at the moment [of the crisis in 1860-61] the majority of the American people wished for conciliation to be tried."²⁴

Auchampaugh bases his defense of Buchanan upon the concept of historical relativity.²⁵ Randall and Klingberg concur as they call attention to public opinion in favor of conciliation during the time of the crisis. Schouler, Rhodes, and Burgess were writing with the advantage of hindsight. Revisionists like Randall and Klingberg, who more and more tend to support sympathizers like Curtis, Moore and Klein, plead for a dispassionate study of Buchanan in the crisis from the point of view of 1860 and 1890 or 1918.

History's verdict is not clear. The Northern detractors had an amazing impact upon twentieth century attitudes toward Buchanan. Text books continue to speak disparagingly of Buchanan,²⁶

²²Klingberg, pp. 462-463.

²³Klingberg, p. 464.

²⁴James G. Randall, The Civil War and Reconstruction (Boston, 1937), p. 194.

²⁵Auchampaugh, p. 2.

²⁶Klingberg, p. 469.

and as late as 1918, the Northern nationalist point of view was evident.²⁷ Klingberg, however, notes that recent college textbooks reflect revisionist thinking in that some have shown "the economic and social problems involved, and the possibilities for mediation."²⁸

With war as the easy alternative, the eventful one hundred and fifty days before Sumter offer a fertile field for study of the technique of arbitration, for here with the uncertain balance between compromise, with his [Buchanan's] concept of the importance of congressional representation of public opinion, with his belief in the bargaining rights of a minority and his conviction that the Union could not be cemented by the blood of its citizens, it is difficult to see how Buchanan could have chosen another course.²⁹

The verdict of history is still being written. As sectional passions cool, as new evidence reveals conditions as they looked to those living in 1860, it appears that history may, at least give Buchanan a more prominent place in the roll call of presidents, if not applaud him.

Purpose of the Study

It was noted above that historians have gradually recognized the possibility of mediation at the time of the 1860-61 secession crisis. As the "irrepressible conflict" psychology diminishes, there is an increasing need for studies of the rhetoric of compromise during the fateful period preceding the firing on Fort Sumter. If it is true that most Americans desired conciliation, the Virginia Peace Conference of early 1861 and the Crittenden Compromise resolution take on new significance. They now seem less like hopeless and foolish gestures and more like courageous and honorable efforts

²⁷Congressional Record , Vol. 56, part 1, 7878.

²⁸Klingberg, p. 469.

²⁹Ibid., p. 474.

which had tragically disappointing results. The same renewed interest in the compromises proffered by James Buchanan seem justified. The desire to evaluate the rhetoric of President Buchanan motivates the writer, for perhaps no other man had greater opportunity to employ rhetoric for the achievement of peace in 1860-61.

Further, while historians have concentrated their analysis on the last days of the fifteenth president's administration, not to be overlooked is the fact that James Buchanan was repeatedly called upon by his state and country to render public service before his election to the presidency. Public service and public speaking were inextricable in the Nineteenth Century. Beginning his political career as delegate to the Pennsylvania State Assembly, James Buchanan rose slowly but steadily to the highest office in the land. He stepped up from state congressman to become member of the House of Representatives, and then in succession, Ambassador to Russia, United States Senator, Secretary of State, Ambassador to the Court of St. James, and finally President of the United States. In all these positions, Klein observes, Buchanan demonstrated "mental toughness and moral stamina,"³⁰ legalistic brilliance, political leadership, dialectic skill in foreign affairs, conversational gifts and periodic eloquence.³¹ Perhaps of all his talents, the latter is least recognized today.

The total purpose of this study, then, is to focus on Buchanan's rhetorical thought and practice in its political entirety. Few men spoke as often as Buchanan, and few had opportunities to exert influence on so many momentous issues through applied rhetoric.

³⁰Klein, Buchanan, p. 428.

³¹Auchampaugh, pp. 5-20.

That his rhetorical activity was extensive is not surprising considering the career he chose, the offices he held, and the age in which he lived. Buchanan spoke and wrote prolifically also because of his faith in democracy and his reverence for compromise. To solve problems through conference and debate were to him the sine qua non of statesmanship. The underlying assumption in this study is that one so speech-oriented and one blessed with opportunities to use speech for worthy causes during such trying times, is worthy of serious rhetorical evaluation.

The specific purpose of this study shall be to conduct a rhetorical analysis of Buchanan's speaking during his congressional, cabinet, and presidential career. It is hoped the study will produce knowledge of value to the rhetorical theorist and critic primarily. One of the most basic justifications for studies in rhetorical analysis is the opportunity such investigations provide for the re-discovery of underlying principles of human communication. Although this study may bring forth evidence that merely confirms established rhetorical concepts, the value in such confirmation is nonetheless worthwhile. Usually, however, each rhetorical investigation affords further insight into the nature of the communication process. In addition, another value to be realized will be the resulting understanding of James Buchanan at work as a spokesman for ideas. No theses or dissertations, no scholarly investigations of any sort, have been published which deal exclusively with the public speaking of James Buchanan.

The humanist and the historian also have something to gain from this study. As Marie Hochmuth Nichols puts it:

I find a large part of the humanities in the examples that are provided of men in their best moments as men. It has been well said that "the speech as a form gives us a microcosm of humanity, a man in high thought and feeling in a worthy cause, seeking, by his wordartistry, to make his audience know and care." One may agree with Richard Murphy's lament: "In the best of the past speeches we have these experiences preserved as illuminations of man's experience, and of the best in human nature. It is a pity not to draw freely upon the heritage."³²

Whether we find Buchanan's speeches to be among the best, they were at least delivered in times which required men to be at their best; whatever their worth as "word-artistry," they reflected Buchanan's best. It should be of value to both historian and rhetorician as well as the student of the humanities to observe in depth the efforts one talented man made to relate his ideas to his fellow countrymen during trying times.

The historian is long accustomed to relying on speech manuscripts for documentary commentary on the times of a public figure. It is hoped that a more perceptive analysis of the oratory of James Buchanan will provide a better understanding of the thought of the Jacksonian and the ante-bellum periods.

The Critical Method

The writer has two critical objectives: (1) to go beyond historical description and analysis of Buchanan's communication efforts, and to render a judicial statement as to their rhetorical worth; and (2), to eschew the traditional approach to rhetorical criticism wherever its conventions might handicap a just appraisal of Buchanan's rhetorical worth.

Rhetorical criticism is not true criticism if it fails to

³²Marie Hochmuth Nichols, "Rhetoric and Public Address as Humane Study," Rhetoric and Criticism (Baton Rouge, La., 1963), p.11.

go beyond mere analysis and render some kind of verdict about how well the speaker adapted his ideas to his audience. Most "criticism" is not judicial. Critics of speech, for the greater part, engage in analysis and "the discovery of historical context" alone. These steps are essential but "beyond perception is appraisal; beyond seeing a thing is attaching a value to it. These two acts--perception and evaluation--distinguishable as they are in theory, are generally experienced as inseparable phases of the same process. That process is criticism."³³ This study is an attempt to obey both commandments of rhetorical criticism -- clear and accurate perception, accompanied with just and considered evaluation.

In order to accomplish true criticism, the writer has deliberately avoided the "traditional" or neo-Aristotelian approach. According to Edwin Black, practically all of the forty essays in the three-volume History and Criticism of American Public Address series are written in the traditional vein. Some have said Wichelns' famous article laid down the neo-Aristotelian prescriptions and almost all speech critics have followed this approach over the last thirty-five years.³⁴ Briefly, the philosophy of the traditional mode of criticism is that speakers and speeches should be evaluated on the basis of effect upon the immediate audience. Speeches are analyzed in terms of traditional categories. The great difficulty with the traditional method is that most critics become so entangled in demonstrating the existence of traditional categories that they seldom

³³Edwin Black, Rhetorical Criticism (New York, 1965), p. 5.

³⁴Herbert A. Wichelns, "The Literary Criticism of Oratory," in Studies in Rhetoric and Public Speaking in Honor of James Albert Winans (New York, 1925), pp. 181-216.

go on to ask how well the speaker employed traditional theory for his persuasive purpose. Further, to focus on immediate results of a speech on an immediate audience points up an inherent weakness in the traditional method. Attention on effect alone constitutes serious shortsightedness on the part of traditional critics. Burke has reminded us that a speaker may have multiple audiences in mind. He may address himself or those present in the immediate audience, those millions viewing him on television, those who read accounts of the speech, the leaders of his society, and perhaps an ideal audience of which he conceives, and he may do all of this simultaneously. The neo-Aristotelian system is not capable of evaluating the effect of a speech on all these audiences.

Yet, perhaps the greatest drawback to the traditional methods is that it tends to limit the creativity of the critic. It binds him to a rigid system and precludes exploration. This study has been written without the encumbrances of traditional jargon and method although much of the system used may be comparable to one neo-Aristotelian tenet or another. The present critic has eschewed all known methods of criticism. Should similarities exist in the final product it would be an unintended result.

Actually, the only system the writer has employed has been one of general orientation: "We have not evolved any system of rhetorical criticism, but only, at best, an orientation to it. An orientation, together with taste and intelligence, is all that the critic needs."³⁵

The guiding orientation in this study is one of questioning

³⁵Black, p. 177.

the purpose of the subject on each speaking occasion. Once the speaker's purpose and audience were identified, the writer sought to apply his own taste and intelligence along with the standards derived by scholars of public address, to test "how well" the subject spoke in light of his own objectives. For example, in Chapter V, Buchanan sought to draw a legal claim to the Oregon Territory as far north as the 54° 40' parallel. Since the rhetorical specimen in this instance was forensic rhetoric in perhaps its purest sense, the writer applied the tests for case strength as devised by Ehninger and Brockriede. In Chapter III, it was demonstrated that Buchanan spoke according to a rhetorical formula used and tested by William Lowndes. Buchanan's speaking in the House of Representatives was evaluated according to the formula for rhetorical success that the writer discovered Buchanan himself chose. The primary orientation, then, was one of evaluating Buchanan's argumentative discourse since he engaged almost exclusively in this form.

Finally, the writer has chosen the definition of rhetoric provided by Donald C. Bryant: "Rhetoric must be understood to be the rationale of informative and suasy discourse both spoken and written."³⁶ Only "suasy" discourse is studied in this work but specimens of both oral and written rhetoric are included. Buchanan attempted to influence audiences through the spoken word but on several important occasions he relied on the pen as well. To ignore Buchanan's polemical writings would be to misunderstand his rhetorical efforts and to by-pass some of the most significant rhetorical considerations of his career. (Both written and spoken specimens are

³⁶ Donald C. Bryant, "Rhetoric: Its Function and Its Scope," The Quarterly Journal of Speech, XXXIX, 407.

studied in this work. However, this is primarily a study of Buchanan's speaking since only a few of the subject's many letters, messages, etc., have been evaluated. Furthermore, most of the samples of Buchanan's written rhetoric studied were in actuality written as speeches to be delivered by others.)

In summary, Buchanan's full career is to be studied from the point of view of the rhetorical critic because he was a prolific speaker, because he spoke and wrote on grave questions, and was consistently rhetorically involved in public deliberations of various momentous issues over a period of forty years. Further, the study seems justified in the light of recent historical discoveries which demonstrate that, even during the secession crisis of 1860-61, mediation was still possible because of great public support for maintaining the Union. Since Buchanan was one of those urging compromise to the last, a study of his rhetorical efforts to save the Union seem worthwhile. Further, no rhetorical studies of Buchanan have been published; this omission is unfortunate and unwarranted. Finally, as a capping reason for essaying a study of Buchanan, the subject is to be judged, not just analyzed. The communication efforts of a particular man will be illuminated, but perhaps more importantly, standards by which his efforts should be judged will be forged, thereby suggesting directives for other scholars working on other subjects. No method of appraisal is employed but an orientation toward taking the measure of Buchanan as an argumentative rhetorician has guided the study from beginning to end. Both written and oral discourse are included in this career length study of "James Buchanan: Advocate in Congress, Cabinet and Presidency."

CHAPTER II

JAMES BUCHANAN: A RHETORICAL PORTRAIT

A statement was made in Chapter I that James Buchanan's "periodic eloquence" is perhaps the least recognized aspect of his long public career. The purpose of this chapter is to illuminate Buchanan the advocate in an attempt to sketch a rhetorical portrait. This portrait will be drawn first by isolating those biographical forces which shaped the oratorical nature of the man and second by observing the speaker at work through a life survey of his chief rhetorical efforts. The underlying theme of this chapter is to bring into sharper focus those elements of the life, character and career of James Buchanan which are primarily "rhetorical" so that this heretofore neglected dimension stands in bold relief to the familiar "historical" image current in the Twentieth Century.

Biographical Forces Which Shaped the Speaker

Many events and conditions help to form a human personality. Family background, childhood environment, religious instruction, and education are among such forces. The factors seemingly most influential in the formation of the character of James Buchanan were his mother and father, his formal education, his legal training, and his emulation of human models. How did these influences shape Buchanan the speaker?

Buchanan's Irish father migrated to America in 1783 at the

age of twenty-three and within five years proved he was an enterprising and practical young man. He saved his wages until rich enough to buy out his employer, the owner of a thriving village store at Stony Batter, Pennsylvania. The elder Buchanan, industrious, strong, and practical, conveyed these same qualities to young James, born in 1791. The son also acquired his father's sense of independence which was to become a mark of distinction throughout his life. Working in his father's store as a boy, James learned of the excitement of politics while listening to political arguments among the customers. The father also taught the importance of recordkeeping, the rudiments of good business, and the necessity of being neat and detailed in general. Such an education may account for the practical and detailed character of many of Buchanan's speeches.

James Buchanan also learned from his father that one should not jump precipitously into new adventures but should plan each move prudently. The elder Buchanan's letters to his son at college and later in Lancaster as a young lawyer, abound in advice about business, career decisions, and other practical matters. He encouraged his son to succeed but never at the expense of his own integrity. When James had left college to study law in Lancaster his father admonished him to "tend strictly to business and 'not be carried off by the amusements and temptations that are prevalent in that place'."¹ His father at one time wrote, "I hope the privation I have suffered and will suffer in giving you a good education will be compensated by the station in society you will occupy."²

¹Klein, Buchanan, p. 14.

²Father to James, April 19, 1811, Klein, Buchanan, p. 14.

The elder Buchanan exerted a strong religious influence upon his son. His letters to young James are a melange of advice, mild reproach, encouragement, fatherly love, and religious exhortations:

I received yours by Mr. Evans, informing me you were elected to the Assembly. The circumstances of your being so popular with your neighbors as to give you a majority over Issac Wayne, who, I suppose, was one of the highest on your ticket, is very gratifying to me, and I hope your conduct will continue to merit their approbation. But above all earthly enjoyments, endeavor to merit the esteem of heaven; and that Divine Providence who has done so much for you heretofore, will never abandon you in the hour of trial. Perhaps your going to the Legislature may be to your advantage, and it may be otherwise. I hope you will make the best of the thing now. The feelings of parents are always alive to the welfare of their children, and I am fearful of this taking you from the bar at a time when perhaps you may feel it most³

James Buchanan manuscript collections are filled with letters such as this which must have instilled a desire to "merit the esteem of heaven" in the heart of James Buchanan.

The influence of the father on the son is immeasurable. By setting an example of an industrious business man, a civic-minded citizen, and a solicitous father,⁴ the old Irishman helped to mold the character of a president.

It is interesting to observe how James' attitude toward his family parallels that of his father. Upon the death of his father, James assumed the role of head of the family and from that moment in 1821 until his own death in 1868, he never ceased giving advice, money, and orders to his mother, sisters and brothers. In 1838, Buchanan, now forty-seven and midway through his first term in the

³Curtis, I, 11.

⁴James Buchanan, "Autobiography," in Moore, XII, 289.

Senate, demonstrated his characteristic familial concern:

In November, the death of sister Harriet's husband, the Reverend Robert Henry of Greensburg, raised family problems so serious and immediate that James spent the entire month attending to them before going to Washington. The family was like politics. He loved both and felt duty bound to both, but their problems demands, and feuds were ever on his doorstep. For a long while he anticipated the difficulties that now faced him. He had already acquired major responsibility for half a dozen young nephews and nieces, and if tuberculosis continued to afflict the family, as he feared it would, he would soon have a whole orphanage on his hands.⁵

If Buchanan so strongly felt the need to attend to family problems, it seems likely he may have widened this view of himself and his responsibilities to include the whole nation. Perhaps this is why he was elected President in 1856. He certainly looked like a father figure--tall, portly, whiteheaded (by 1856) and kindly, with a smile on his face and a head bent slightly to one side suggesting warm concern for all those in view (actually, Buchanan had a defect in one eye and tilted his head to one side for purposes of better vision). The nation certainly needed a strong patriarch in 1856 and perhaps it thought Buchanan was he. It is likely Buchanan thought of himself in the same way. When James wrote that the elder Buchanan was "a kind father, a sincere friend, and an honest and religious man,"⁶ he apparently realized the strong impression the old gentleman had made on him and he intended to demonstrate the same characteristics toward his family, state and eventually his nation.

Elizabeth Speer Buchanan encouraged religion, love of debate, and intellectual pursuits in her children. A mother of a large

⁵Klein, Buchanan, p. 124.

⁶Moore, XII, 289.

brood, for whom she was ambitious, she believed instilling a disputatious spirit within her children would condition them to the trials of life. She knew the power of argument and tried to make her sons expert in it. She also recognized the humanizing effect of literature. Although not formally educated, Mrs. Buchanan was acquainted with much of the finest English literature. She passed on her love for Milton and Shakespeare to her children.

In addition to inspiring hard work, good conversation, and ambition among her sons, she set an example of religious living. James later remarked that "she was a sincere and devout Christian, from the time of my earliest recollection, and had read much on the subject of theology, and what she read once, she remembered forever."⁷ Buchanan was concerned about religious questions all his life and attended church faithfully. However, he postponed official membership until joining the Presbyterian Church of Lancaster in September, 1865, just three years before his death.⁸

Both parents spent special pains seeing that James Buchanan be properly raised. The oldest surviving child in the family, he was always the favorite.⁹ Yet the demanding father expected more from the boy than he could always accomplish. James seemed to merit from his father more criticism than praise and came to both fear and love him.¹⁰

⁷Ibid., p. 290.

⁸Reverend William D. Paxton to G. T. Curtis, Curtis, II, 671.

⁹Klein, Buchanan, p. 4.

¹⁰Ibid., p. 290.

Constantly striving for his father's approval, James Buchanan early acquired a strong ambitious bent. His easy going mother was as "modest and self-effacing as the father was proud and arrogant" The mother was always satisfied, and the father was hardly ever satisfied.¹¹ Both parents, in their different ways, doted on him and made him the center of family attention:

Thus, for the first fourteen years of his life, James Buchanan, as the eldest child and only boy, retained the place of favoritism into which he had been born. He lived in a woman's world at home, and until the family moved to Mercersburg he had no playmates except his sisters, over whom he was an acknowledged authority. While he commanded more than the usual child's prerogative to be waited upon, he also had more than the usual childhood responsibility, and he soon developed a good opinion of himself that was daily strengthened by the deference of the younger children. When he reached his early teens, he must have been obnoxiously conceited and self-assured.¹²

Some of the conceit and self-assurance was sure to be lost during his two eventful years at Dickinson College.

Elizabeth Buchanan, unschooled but well read, taught her children to read and write at home. When the family moved from the farm at Stony Batter to Mercersburg, James was sent to Old Stone Academy where he studied Greek and Latin.¹³ It is not known whether or not he studied classical oratory at this or any other time. And not too much is known of the curriculum at Dickinson College where Buchanan matriculated at age sixteen. How long Buchanan was at Old Stone Academy is not known, although he had lived in the town of

¹¹Ibid., p. 7.

¹²Ibid., p. 4.

¹³Ibid., p. 5.

Mercersburg ten years prior to going away to college. His training in the academy must have been extensive for he transferred directly from it to the Junior Class at Dickinson:

After having received a tolerably good English education, I studied the Latin and Greek languages at a school in Mercersburg I was sent to Dickinson College in the fall of 1807, where I entered the Junior Class.¹⁴

At Dickinson, Buchanan studied Latin, Greek, mathematics, philosophy, history, and literature.¹⁵ He took part in "extra-curricular" activities too. James wanted the approval of his fellow students, and although gaining it required behaving in a manner to which he was unaccustomed, he made a valiant effort to win friends and at the same time maintain a respectable academic standing:

The college was, at that time, in a wretched condition; and I have often since regretted that I had not been sent to some other institution. There was no efficient discipline and the young men did pretty much as they pleased. To be a sober, plodding, industrious youth was to incur the ridicule of the mass of students. Without much natural tendency to become dissipated, and chiefly from the example of others, and in order to be considered a clever and a spirited youth, I engaged in every sort of extravagance and mischief in which the greatest- - - [illegible] of the college indulged. Unlike the rest of this class, however, I was always a tolerably hard student, and never was deficient in my college exercises.¹⁶

Klein has reached some conclusions about the nature of the indulgences of which Buchanan speaks:

From knowledge of his later activities, we may reasonably assume that he got into drinking bouts sufficiently rowdy to come to the attention of the faculty; that he smoked cigars contrary to regulations of the college; and that he manifested in and out

¹⁴Moore, XII, 291.

¹⁵Klein, "James Buchanan at Dickinson College," John and Mary's College (Carlisle, Pa., 1956), p. 162.

¹⁶Moore, XII, 291.

of the classroom a conceit which proved at first irritating and at length intolerable to his professors. On the Fourth of July, 1808, which the Dickinson boys celebrated with a huge dinner at the Glebe Farm, he downed sixteen regular toasts before starting on the volunteers.¹⁷

Regardless of what extravagant behavior Buchanan indulged in, he irritated the faculty to the point that he was expelled after his first year even though his academic record was high. The dismissal notice came in the form of a letter to James' father just prior to the time the younger Buchanan was to leave for Carlisle to begin his Senior year:

On a lovely Sunday morning of September he was lounging at ease in the sitting room of his home, enjoying those deliciously languorous sensations of well-being that the gods confer only upon college students on vacation. His reverie was interrupted by a knock at the door. His father answered it and returned shortly with a letter he tore open with curious interest. As he began to read, his expression changed to one of pain and anger. Whatever this was, it was uncommonly bad news. Buchanan senior abruptly thrust the paper at his son, turned, and left the room without a word.¹⁸

The letter had come from Dr. Davidson, President of Dickinson College. The faculty would have expelled James for his misbehavior sooner except for the high regard in which the Buchanan family was held. The letter went on to say that reinstatement was impossible. His pride hurt, reeling from embarrassment, James fought for reinstatement nonetheless. He convinced the Reverend Dr. John King, pastor at the Mercersburg Presbyterian Church and President of the Dickinson College Board of Trustees, that he would behave in a manner beyond reproach if he were permitted to return to school. Dr. King

¹⁷Klein, Buchanan, p. 9.

¹⁸Klein, "Buchanan at Dickinson," p. 177.

was convinced and intervened in Buchanan's behalf obtaining James' reinstatement.

Back at Dickinson, Buchanan, chastened and remorseful by the unexpected censure, became an impeccable student. He performed so well that he rose to the top of his class academically. He expected to be chosen valedictorian by the faculty but they were still prejudiced toward him and voted the honor to the second boy instead. Buchanan was so angered by the slight that he had little good to say about Dickinson hereafter.

Yet, Buchanan profited from his two years at Dickinson. Without the studies in history, philosophy, mathematics, and classical languages, it is unlikely his speeches would reveal so much learning and understanding of the world. His speeches represent a man exact and precise in the use of the English language, immersed in classical literature, acquainted with great thinkers, and knowledgeable about the story of man. Dickinson College was responsible for much of the eminence among men Buchanan was later to achieve.

More than James Buchanan's intellectual ability was demonstrated at Dickinson. It is clear he was so eager to be liked by his peers he would go against his own principles to win favor and finally to assume leadership. In the end, however, the desire to be a credit to himself, his father and Dr. King seems to have been the stronger motivation. Buchanan learned a hard lesson at Dickinson-- duty comes before pleasure and above friends. This characteristic is evident throughout much of his life. It was duty, certainly, which caused him to speak so honestly about the evils of buying military deferments. This and other dutiful speeches will be discussed later in the chapter.

After leaving college, Buchanan studied law under a Lancaster preceptor. Under the tutelage of James Hopkins, Buchanan plunged himself into his legal studies with fervor. His capacity for hard work became apparent during the time of his apprenticeship, a capacity which was to become a lifelong feature of his character:

James worked hard. "I determined that if severe application would make me a good lawyer, I should not fail in this particular. I studied law and nothing but law." Day and night he read and struggled to extract the full meaning from pages of print and to incorporate it accurately in his mind. For relaxation he got into the habit of strolling out to the edge of town in the evening where, while watching the sun descend beyond the gentle slope of Chestnut Hill, he tried to put into spoken words the material he had studied during the day.¹⁹

Buchanan was acquiring the capacity for extemporaneous speech a skill he would greatly need in Congress later. A more important rhetorical characteristic acquired during these years of training was the formation of the habit of writing and speaking in the form of a legal brief. After three years of training under Hopkins Buchanan's speeches were thereafter to bear the mark of a legal mind--tightly reasoned, heavily documented, precise, even at the expense of flavor, and consequently most always dry.

In 1812, Buchanan had completed his apprenticeship. He was now twenty-one and perhaps his personality was by now formed in its basic aspects at least. However, since the concern in this chapter is with those influences which helped to stamp his rhetorical character primarily, one other significant force should be added. For some reason, perhaps because of the natural tendency among young men to seek out human models, Buchanan was very much impressed with

¹⁹Klein, Buchanan, p. 14.

the character and oratorical abilities of Congressman William Lowndes of South Carolina. Buchanan was a freshman Congressman when he first met Lowndes in 1821:

He had learned of Lowndes through Langdon Cheves, former President of the United States Second Bank, a South Carolinian who for several years had been living in Lancaster. The news that the South Carolina Legislature had just unanimously nominated Lowndes for the presidency in 1824 gave special interest to his presence in the House. Buchanan made Lowndes his ideal, for he displayed those qualities which James admired and tried to cultivate in himself--sincerity of purpose, full command of information, gentleness of address, an aversion to giving offense to an opponent, and utter fairness in debate. Randolph once remarked after hearing Lowndes present the argument of an adversary before demolishing it, "He will never be able to answer himself."²⁰

Just how sound Lowndes' rhetorical practice was and how well Buchanan managed to emulate it is a matter to be discussed later in this study.

From these biographical details, admittedly selected but felt by the writer to be most influential in the creation of Buchanan's rhetorical character, evolves an image of the Squire of Lancaster as he addressed the House of Representatives for the first time in 1821. He was a large man, handsome, filled with youthful vigor, yet cautious and discreet, proud, perhaps vain, humane, and religious, literate and articulate, although tedious and legalistic in speech, accustomed to hard work, buoyed with self-confidence and yet unsure enough to need to follow. Further, he was beginning to demonstrate that he was the rock his father was--diligent, mature, persevering, dependable, in all, the family stabilizer. Buchanan came to the House as a man of great promise--educated, willing to be a "business member," and inventive. No wonder he was immediately sought out by Calhoun and Lowndes for an important speech assignment--

²⁰Ibid., pp. 38-39.

the presentation of Lowndes' case in favor of the War Department Deficiency Bill and in support of John C. Calhoun, Secretary of War. How wonderful it must have made this thirty-year-old freshman Congressman feel to be chosen for such an important task. But the story of Buchanan as public persuader begins long before 1821.

A Neglected Dimension: Buchanan's Role as Public Persuader

Throughout his long career James Buchanan often assumed the role of public persuader. Among the many occasions on which he spoke were political rallies, debates in the halls of Congress, and eventually his own presidential inauguration from the steps of the Capitol. He exercised control over his political managers and his constituents by writing many private letters and other letters published in newspapers and addressed to the public at large. As Minister to Russia and Great Britain and later as Secretary of State, Buchanan used the written and oral media of diplomatic channels to effect international agreements.

The earliest record of Buchanan's speaking endeavors date from his days at Dickinson College. He was a member of the Union Philosophical Society, in the hall of which "young Jimmie Buchanan had so proudly delivered youthful orations."²¹ Young Jimmie was one of three in his graduating class to deliver orations at the September 19, 1809, Commencement Day ceremony. Buchanan was second on the program for reasons noted above. He delivered a highly polished oration, very appropriately entitled "The Utility of Philosophy."²²

²¹Klein, "Buchanan at Dickinson," p. 177.

²²Ibid., p. 169.

The first significant public speech on record was delivered by Buchanan on July 4, 1814, at which time he signaled his entry into politics. As president of the Washington Association (a young Federalist organization), he "roundly lambasted Madison for bungling the war effort and called on Federalists to pitch into the fighting to force an honorable peace as quickly as possible."²³ Just over a month later, after being nominated on the Federalist ticket for State Assemblyman, Buchanan addressed a large gathering on the Court House steps in Lancaster. News of the burning of Washington had just reached town and James probably felt it essential to his election in the fall to take some stand on the question of mobilization. Many feared a British assault on Baltimore. Buchanan aroused enthusiasm among the crowd in forming a fighting force to be sent for the defense of Baltimore and stated he "was among the first to announce my name as a volunteer."²⁴ Buchanan, and others, members of a company led by Captain Henry Shippen, "mounted their horses, armed with sword, pistols &c., and marched to Baltimore, without waiting for formal orders, to aid in defending that place."²⁵ Very little is known of the events encountered on this venture by the gentlemen of Lancaster, but it is likely they were not involved in armed conflict. It is known Buchanan was among a group of volunteers who were ordered to commandeer horses from Maryland farms. This was not only a humiliating task for the young gentlemen of

²³Klein, Buchanan, p. 17.

²⁴Curtis, I, 8.

²⁵Moore, XII, 294.

Lancaster but succeeded in arousing the ire of the Marylanders to the point they "had become nearly as serious an enemy as the British."²⁶ Back in Lancaster less than a month later, Buchanan had proved his patriotism and was elected as a Federalist to the State Assembly by a heavy margin. But, then, the Federalist candidate always won in Lancaster.²⁷

Buchanan soon discovered the duties of an Assemblyman in Harrisburg were paltry. His service in the state legislature was most productive as a means of improving his law practice. Yet, he also gained valuable experience as a speaker. He busily advocated a series of minor bills and petitions which called for the incorporation of textile mills in his home district, the reduction of whisky taxes, and the establishment of new judicial districts. In an egalitarian spirit, he offered petitions that would place the property of drunkards in trusteeship rather than subject to public confiscation.

Klein notes that Buchanan, "after hearing a few speeches, made up his mind to avoid impromptu expressions on the floor and to speak only after thorough preparation."²⁸ His father concurred in this cautious approach to legislative business.²⁹

Continuing to show egalitarian sentiments, Buchanan made his maiden speech on February 1, 1815, in which he vigorously denounced

²⁶Klein, Buchanan, p. 18.

²⁷Ibid., p. 17.

²⁸Ibid., p. 20.

²⁹Father to James, January 20, 1815, Curtis, I, II.

a bill on conscription and advocated a volunteer bill already introduced. Speaking from his heart and convictions, the young Lancaster lawyer made many impolitic remarks: "He attacked special privilege in the city of Philadelphia, championed the interests of the West against the East, defended the poor against abuse by the rich, and balanced the wishes of the State against the different interest of a minority from Philadelphia."³⁰ This speech, so unlike a Federalist, doctrinally at least, caused one Democratic Senator to ask Buchanan to switch parties:

Buchanan encountered such political repercussions from his maiden effort that when the volunteer bill came up for final vote in the House, he was 'necessarily absent.' Fortunately for him, the whole issue terminated when, on February 17, Governor Snyder announced the news of peace with England.³¹

It seemed he had spoken from convictions, and these convictions coincided with Democratic principles. Buchanan had some explaining to do to his Federalist constituents.

An opportunity to explain his way out of a confusing political dilemma arose on January 4, 1815. As youth and inexperience would have it, Buchanan had little foresight on the occasion. He could not see that someday his Democratic principles might be in vogue, as indeed they came to be once Jackson's political star rose. Buchanan mended his political fences too well on this occasion. He went too far in denying any allegiance to the Democratic party. So far that he lived to regret these remarks when he decided to jump on the Jackson bandwagon in 1827. His purpose, on this occasion,

³⁰Klein, Buchanan, p. 20.

³¹Ibid.

nonetheless, was to prove to the July 4th celebrants that he was Federalist in loyalty, first, last and always. He succeeded in convincing Lancaster voters of his genuine Federalist beliefs, apparently, for they returned him for a second term in the Pennsylvania State Assembly.

During his second term, 1815-1816, Buchanan took a "hands off" attitude toward state banks in financial difficulty. He felt the banks should be allowed to work out their own problems without intervention from the state legislature. Buchanan took the same noninterference attitude toward the recharter of the United States Bank which was at that moment a topic of great concern in Washington.

At this point in Buchanan's career, it is difficult to determine just where he stood, rhetorically and politically. His attack on the Conscription Bill sounded anti-Federalist and yet his July 4, 1815, defense of his Federalistic convictions was extremely anti-Jeffersonian. His second term speeches, however, had a distinctly anti-Hamiltonian flavor. His rhetorical thought was definitely a mixed bag and, as his tenure in Harrisburg drew to a close, Buchanan began to probe deeply into his confused mind:

The impetuous, unstable and mob-produced actions of the radical Democracy he found revolting, sometimes frightening. Control of business and politics by a closed corporation of the wealthy he could not accept as just. He had respect for the will of the majority, but he had an equal respect for individual rights in property. He believed that the greatest glory of the American Constitution was that it embodied this dual concept; that it drew a careful balance between the demands of persons and property. But no existing political party accepted both of these doctrines. With his ideas, Buchanan was not sure in which party he belonged.³²

³²Ibid., p. 23.

To the ordinary citizen, such an eclectic ensemble of political tenets would not necessarily pose problems. But to a politician whose public life depends upon party endorsement, such a mixture of ideas creates insuperable problems. Buchanan decided to withdraw from politics in 1816 partly because of intellectual confusion over political matters and partly because the custom in Lancaster County was to share the patronage pie. Two terms was the established limit and Buchanan felt he lacked the voter appeal and the party support to force a new precedent by seeking a third term. Besides, his friend Jasper Slaymaker, a fellow Dickinsonian, was next in line.

Buchanan left Harrisburg a confused but wiser man. He had learned to be more thoughtful about public remarks which might alienate the very factions he would need the support of in order to rise any farther politically. He decided to quietly return to his long-neglected law practice in Lancaster for awhile and allow time for a settling process to take place in his mind regarding his ideological attachments.

From 1816 to his election to the United States House of Representatives in 1821, Buchanan performed the vast variety of duties which is the lot of a hard working lawyer in a small city. Most of this activity was strictly busy work in handling estates, tax cases, etc. He tried countless cases in the courts of Lancaster and neighboring counties. Most of his forensic activity during this period was petty and unspectacular but impressive in a sense:

Slowly, by dint of sheer mental labor and the application of

time to his business, Buchanan built up a reputation for thoroughness and competence which brought more and more property work to his desk. His arguments before court and addresses to juries were anything but brilliant or spell-binding, but they achieved their object by sheer mass of data tightly knit by logic. Some called him a hair splitter. He did not, however, emphasize detail at the expense of the main point. He carried argument into areas so minute they were boring, but he never lost connection with the basic issue. This habit was to affect his political speeches, from which it is extremely difficult to extract any sentence without materially damaging a train of thought. He was long-winded, but in planned papers never repetitive.³³

Hensel includes the comments left by an unknown Lancaster judge about the ability of James Buchanan:

There was a combination of physical and intellectual qualities that contributed to make him a powerful advocate. He was more than six feet in height, with a fine, imposing figure, a large, well-formed head, a clear complexion, beautiful skin, large blue eyes, which he turned obliquely upon those he was addressing, looking so honest and earnest as to engage their sympathy by his gaze alone; then his voice was strong, resonant and not unmusical, and his elocution, though very deliberate, flowed on like a full river in constant current. Add to this, he was a logician and indefatigable in his preparation of his case. In fact, he was cut out by nature for a great lawyer, and I think was spoiled by fortune when she made him a statesman.³⁴

The forgotten judge had a point for Buchanan nearly reached the Supreme Court on two occasions later in his life. Buchanan therefore might have been a great lawyer. He certainly showed early signs of greatness to come as a young Lancaster lawyer.

A remark above suggested that most of Buchanan's forensic activity during this period was petty and unspectacular. There is one astounding exception to this generalization.

At the tender age of twenty-five, James Buchanan was given a

³³Ibid., p. 24

³⁴W. U. Hensel, James Buchanan as a Lawyer (Lancaster, Pa., 1912), p. 7.

remarkable honor for any man, much less one so young. Walter Franklin, a Federalist judge, unpopular with the Democratic majority in Harrisburg, was impeached by the State Legislature. Franklin, having decided a case later reversed by the United States Supreme Court, was impeached on the grounds of rendering a "faulty-decision." Surprisingly, James Buchanan was chosen by Franklin as defense counselor:

Buchanan argued that if a legislature destroyed a judge merely because it objected to the legal opinion he expressed in a trial, without any hint of crime or misdemeanor, it equally destroyed the constitution which established the legislature and judiciary as independent and co-ordinate branches of government.³⁵

Someone, as yet unknown to us today, remarked that the defense "was conducted with great ingenuity, eloquence, and address. It made a deep impression."³⁶

So strong was Buchanan's plea for the innocence of Judge Franklin, the prosecutors postponed the trial for weeks in order to ready their reply. Judge Franklin was acquitted but was impeached again in 1817 and again in 1818, each time on trumped up charges. Buchanan ably defended him in 1817 alone and headed a team of brilliant Philadelphia lawyers, in the last instance, which was also successful in winning an acquittal. Quite naturally, the reputation of this young attorney spread across Pennsylvania and his law practice grew accordingly. Buchanan, always neat and precise about figures, recorded in his biography that his income from legal fees grew from \$2,000 in 1815, to \$8,000 in 1818. From these comparatively large

³⁵Klein, Buchanan, pp. 24-25.

³⁶Curtis, I, 17.

sums, Buchanan began to wisely invest in property, stocks and bonds. His estate was valued at nearly a quarter of a million dollars at the time of his death and that was in the day before the great industrialists appeared on the scene. Buchanan may have been one of the richest men in Pennsylvania at the time of his death. In terms of what money and property was worth in the Nineteenth Century, Buchanan's fortune would probably be valued in the millions today. This was a remarkable achievement for the son of an Irish immigrant who had arrived in America penniless just eighty-five years before.

The important aspects of Buchanan's rhetorical portrait which appear during the years between his service in Harrisburg as a State Assemblyman and his election to Congress in 1821 are two: (1) his speechmaking was characterized by precision, tight reasoning and tedious amplification; (2) as especially revealed in the Franklin trials, his tendency to view the Constitution as the highest law first appears. (Later, particularly during the secession crisis of 1860-1861, to be discussed in Chapter VI, Buchanan's devotion to the concept of strict legal interpretation of the Constitution as a source of guidance to the settlement of one and all problems becomes clearly evident.)

Although Buchanan never really gave up his law practice, he abruptly pushed it to the side in 1821 to run for the United States House of Representatives from his own district (the Counties of Lancaster, York, and Dauphin). His political creed was still unsettled and bitter experience had taught him to be more circumspect until it was. Buchanan knew he was the voice of the people and they were, in his district at least, Federalist. Further, he wanted to be a

"business" member of the House and this meant taking to the floor often.

His maiden speech in the House was in support of the War Deficiency Bill, mentioned above. Buchanan was asked to make the speech in behalf of William Lowndes of South Carolina who had done research on the question but was too ill to give the speech himself. Using Lowndes' notes, Buchanan made a successful speech in defense of the Bill by arguing the right of a public servant to spend money on official business even if Congress had not yet appropriated the money. The speech was a good turn for John C. Calhoun, Secretary of War, in whose aid the bill was presented. The bill passed by a large majority and Buchanan was given credit for its success.

Buchanan's friendship with Lowndes was unusually significant. As noted earlier, the young Pennsylvanian was influenced by human models. Lowndes was the figure who had the greatest rhetorical impact on him. We shall see in Chapter III that the acquaintance with Lowndes resulted in a rhetorical transfusion permanently marking the speaking of James Buchanan.

Buchanan was on the floor ten days after being introduced to the House and within three weeks delivered the speech for Lowndes. This was his maiden address. Following his first several speech efforts, the young Congressman concluded his speeches were given "tolerable share of attention" although he admitted to feelings of embarrassment.³⁷

"Most important," Klein says, "he could make himself distinctly

³⁷ Buchanan to Judge Franklin, December 21, 1821, Moore, I, 10-11.

heard, a rare achievement because of the poor acoustics of the hall."³⁸ Klein describes Buchanan's platform manner using the speech on the War Deficiency Bill as a representative sample:

Reason, supported by quantities of illustrative and supporting data embellished by pathos ("the shrieks of helpless women and children under the scalping knife!"), converged upon an inevitable answer. In a reasoned debate, Buchanan could so exhaust a subject that any reply was bound to be a reiteration. Against wit or ridicule he was helpless, but in serious debate he was formidable.³⁹

The speech on the War Deficiency Bill was a product of two minds. Buchanan was alone responsible for his remarks on the Bankruptcy Bill. The Pennsylvania Representative considered it one of his finest speeches. In it we see Buchanan's thought on matters of federal jurisdiction and the rights of property owners beginning to take form. It is a speech which sounds fiercely Hamiltonian. Buchanan was opposed to extending bankruptcy privileges to those other than the "mercantile class." His thesis in the speech was that "the bill would increase the perpetration of fraud because man was basically criminal and would give way to temptation."⁴⁰ In a strikingly anti-Jeffersonian tone, he concluded by saying "Rest assured that our population require the curb more than the rein."⁴¹ A secondary proposition sounds definitely States Rights in philosophy. By pointing out the bill would give federal courts jurisdiction over bankruptcy cases throughout the nation, he seemed

³⁸Klein, Buchanan, p. 39.

³⁹Ibid., p. 41.

⁴⁰Ibid., p. 42.

⁴¹Moore, I, 41.

to be sounding the alarm against federal power which he feared might encroach upon the rights of individual states. Buchanan's thinking was beginning to crystallize but he still found party boundaries ideologically restraining. He discovered that most of his fellow Congressmen were in the same dilemma and couldn't distinguish between Democrat and Federalist except by party label. Everyone in the House had mixed views and no one espoused a solid party line. Even the administration, nominally Democratic, Buchanan felt to be Federalist in principle.⁴²

James Buchanan was returned to Congress again and again. He served in the House from 1821 to 1831. That any man can sustain political favor for ten years is remarkable, but for Buchanan, during this decade, it was extraordinary. What made election so difficult was that he jumped on the Jackson bandwagon in 1824 and by 1828 had officially changed parties and now called himself a Jacksonian Democrat. This took some doing. How could he receive the support of his Federalist district as a Jacksonian? He began his shift of party labels by attacking President Adams in a truculent speech in the House in 1828:

Buchanan brought to bear against Adams not epithets and slander, but a lawyer's marshalled evidence which proved the more damning for its restraint of phraseology and the evidence of scholarship it suggested.⁴³

This speech announced to the entire population of the nation that

⁴²Ibid. XII, 300-301.

⁴³Klein, Buchanan, p. 60. The writer disagrees somewhat with Klein's analysis of this speech for he finds, in addition to "a lawyer's marshalled evidence, "Buchanan attempting to employ invective and ridicule aimed at John Quincy Adams. See Chapter III.

Buchanan was a strong supporter of Jackson and notified his own district that he was a member of a movement in Pennsylvania politics to join the disillusioned Federalists to Democrats now disaffected with Adams. It took more than this speech to persuade his constituents to support him under a new party name. Many letters, favorable editorials by newspapermen friendly to him, and the knowledge among even die-hard Federalists that the great party was now defunct were required to convert the masses. Buchanan was elected along with Jackson in 1828 but the political factions at home continued to war until Buchanan could no longer command the allegiance of his party workers. They were split over party labels, over the personality of Old Hickory and the changes brought by Jacksonian Democracy, over the Bank issue and over the ever present question of the tariff. The people were divided on these issues also. Buchanan tried to make his position clear on most of these issues by mail and by speeches in the House. But the complexion of Pennsylvania politics was so marked with factionism that he felt he could not weld a winning political organization at that time and decided to retire from politics in 1830. The political situation at home was chaotic.

From this summary of Buchanan's years in the House, his rhetorical portrait comes into sharper focus. Buchanan was demonstrating early his career long preference for argumentation as a mode of public speaking. Furthermore, we see his employment of rhetoric for the purpose of political expediency. It was largely through the medium of House debate that he kept his constituents apprised of his political alignments. Buchanan's basic rhetorical

strategy was to remain sufficiently aloof from issues so that he could take new directions and avoid the charge of inconsistency.

(Such strategy is labeled the "Lowndes Formula" in Chapter III.)

When he determined that his future lay with the Democrats, he portrayed himself as a Jacksonian by his vicious attack on John Quincy Adams. Yet, he was not so ideologically uncommitted that his fundamental political premises escape attention entirely. Although he wanted to be allied with the Jacksonian Democrats, his pessimistic view of the nature of man and his reverence of property over humanitarian concerns places him among the conservatives of his day. Later, in Chapters III and VII especially, we shall see that Buchanan employed a conservative rhetorical strategy complementary to his political thought.

Buchanan was appointed Minister to Russia in 1832 and was chiefly responsible for arranging a treaty of commerce between the United States and St. Petersburg, a project at which previous ambassadors had failed. Although many factors played a hand in bringing the treaty to fruition, Buchanan's personal diplomacy must not be underestimated. He was on excellent terms with the Emperor, Czar Nicholas I:

[He] bade me adieu--and embraced and saluted me according to the Russian custom--a ceremony for which I was wholly unprepared, and which I had not anticipated. Whilst we were taking leave, he told me to tell General Jackson to send him another Minister exactly like myself. He wished for no better Thus has my mission terminated.⁴⁴

Before leaving, however, Buchanan had been in touch with his political managers in Pennsylvania. They urged him to seek a seat in

⁴⁴Moore, II, 381.

the United States Senate and placed his name in nomination even before Buchanan sailed from Europe. The first attempt failed but in December of 1834, he was chosen by the Pennsylvania Legislature to replace William Wilkins, whom Jackson had selected to replace Buchanan in St. Petersburg.

Buchanan took his seat in the Senate on December 15, 1834, but not before establishing a clever working relationship with the Pennsylvania Legislature:

Buchanan told the committee of the Legislature which informed him of his election that he held the right of instruction to be sacred. "If it did not exist," he said, "the servant would be superior to the master." He would either obey instructions from the State Legislature or resign, but in giving a vote against his own judgment, he continued, "I act merely as their agent. The responsibility is theirs, not mine." In rare instances, however, he might question whether the instructions of the Legislature did in fact represent the public will, and in such a case he would try to speak for the people. He wanted to make his position very clear on the instruction doctrine, for if the anti-Masons got control of the State Legislature they would certainly try to embarrass him by ordering him to vote against all the Democratic measures. This statement, he thought, protected him all around. When he voted with the national party under instruction, he could take the credit; when he voted against it under instruction, he could pass the buck to the State Legislature; when the issue was extremely obscure, he could do what he pleased by challenging the Legislature's interpretation of the public will; and if matters were hopeless, he could resign on principle without the appearance of losing his temper.⁴⁵

There were many occasions for Buchanan to play the cozy game. For instance, on the question of rechartering the United States Bank, Pennsylvanians were in favor of recharter and Buchanan faced Jackson's disapproval and possible loss of patronage if he were to fight in favor of the Bank. Buchanan sidestepped this issue by informing his constituents and Jackson that he was in favor of recharter but

⁴⁵Klein, Buchanan, p. 102

only if the bill supplied a remedy to the objections raised in Jackson's veto message of 1832. This temporarily satisfied both parties but later Buchanan made an outright anti-Bank speech declaring his complete agreement with Jackson. By then he felt the feelings of the people had changed even though the State Legislature had not.

Buchanan was a prolific speaker during his years in the Senate. Mention is made here of but a few of his most significant rhetorical efforts. Upon first entering the Senate in 1834, Buchanan found the assembly in a turmoil over France's seeming unwillingness to pay claims to the United States as agreed. Jackson, in his December 1834 Message to Congress, had recommended reprisals against French property and thus fanned the flames of controversy. On the first and second of February 1836, Buchanan rose to deliver a long speech strongly supporting Jackson and the Fortifications Bill, a measure designed to threaten France into payment of her debts. He was prepared to take extreme steps in obtaining from France what was rightfully ours:

If war should come, which God forbid--if France should still persist in her effort to degrade the American people in the person of their Chief Magistrate,---we may appeal to Heaven for the justice of our cause, and look forward with confidence to victory from that Being in whose hands is the destiny of nations.⁴⁶

Just when war seemed inevitable France began to pay the delinquent claims. This amicable agreement was brought about partly through the mediation of Great Britain.

One of the subsidiary issues to the Bank controversy involved President Jackson's dismissal of Treasury Secretaries until he found

⁴⁶Curtis, I, 280.

one willing to remove federal funds from the Bank and deposit them in state banks. The Whig Senate censured Jackson for his Bank policy in 1834 on a resolution by Henry Clay. A bill which would require the President to give reasons for the removal of executive officers aroused Buchanan to come to the aid of the President on the 17th of February, 1835. As was becoming customary, Buchanan cited the Constitution:

If Congress can command him to give reasons to the Senate for his remarks, the Senate may judge of the validity of these reasons to the Senate for his removals, and condemn them if they think proper; -- a position in which the Constitution of the Country never intended to place him. In my opinion, this bill as strongly negatives the constitutional power of the President to remove from office, without the concurrence of the Senate, as if it were so declared in express language. For this reason I shall vote against it.⁴⁷

It was natural that Buchanan should become Benton's chief ally in support of the resolution to expunge from the Senate journal the censure of Jackson. Clay impassionedly denounced the Benton resolution. In reply, Buchanan rose to deliver "a speech which may perhaps be regarded as the ablest efforts in the Senate,"⁴⁸ on January 16th, 1837. Curtis applauds Buchanan for getting at the issues and avoiding partisan debate:

There is one praise to be accorded to this speech, which, considering the party character of the struggle, is not a small one. Mr. Buchanan separated what was personal and partisan in this controversy from the serious question involved; and covering the whole field of argument upon the really important topics in a temperate and courteous but firm discussion, he placed his side of the debate upon its true merits.⁴⁹

The censure was expunged but it took a party vote to do it suggesting

⁴⁷Ibid., p. 291.

⁴⁸Ibid.

⁴⁹Ibid.

Buchanan's non-partisan approach was unsuccessful. It is interesting to note at this point that if Curtis' observation is accurate, Buchanan was speaking in the Lowndes mold.

In a survey of this type, comments cannot be made on every speech effort. Later chapters will probe deeply into Buchanan's Congressional rhetoric. The survey in this chapter of Buchanan's years in the Senate is sufficient to add new dimensions to his rhetorical portrait, however. First, he obviously continued to employ rhetoric for the purpose of political expediency, hoping to keep himself attractive to both national party leaders and the people of Pennsylvania. Public speaking was by now one of the important techniques Buchanan was to use as a means of reaching the White House. He hoped to keep in the public eye and yet not become so politically involved that at a later date his record on any issue might disqualify him for higher office. Yet, he determined to prove his party loyalty by fighting for Jackson's programs at home and abroad and this he did largely through Senate debate. Chapter IV investigates Buchanan as the "Jacksonian Advocate in the Senate." Further, Buchanan's style of speaking continued to be solely argumentative in nature. The "Lowndes Formula" had become an indispensable part of Buchanan's rhetoric. In Chapters IV and V the essential questions raised concern Buchanan's seeming rhetorical rigidity. Was he merely avoiding partisan debate in the Senate or was he incapable of it?

Mention should be made of the strictly political speaking during a six-week campaign tour of Pennsylvania made by Buchanan in 1840. Whig propaganda had put Buchanan in a poor light in Pennsylvania, principally by quoting damaging excerpts from his speeches

out of context, and he, although reluctant to mount the stump, took to the circuit with unexpected enthusiasm. Speaking to crowds as large as 25,000, Buchanan "poured fire and brimstone into the enemy."⁵⁰ The tour was physically exhausting but it helped to repair Buchanan's reputation in the state and persuaded many voters to support Van Buren in the presidential election. Harrison carried the state by a mere majority of 350 votes, testifying some said to the campaigning skills of the Squire from Lancaster.⁵¹

In 1844 Buchanan seriously sought the presidential nomination himself. He failed but since he controlled the Pennsylvania delegates to the nominating convention and when his own defeat was obvious he gave Pennsylvania to James K. Polk. He was rewarded with a post in the new president's cabinet. Buchanan served Polk as Secretary of State during four of the stormiest military and diplomatic years in our history. Buchanan was influential in the admission of Texas (his last speech on the floor of the Senate called for the entry of Texas into the Union), in the formation of policy toward Mexico and the acquisition of California, and played a personal role in the settlement of the Oregon question. The diplomatic skill of Buchanan, especially in regard to the Oregon territory, shall be the subject of Chapter V.

Perhaps the three most significant rhetorical efforts Buchanan made as president were his Inaugural Address on March 4, 1837, and his Messages to Congress on December 3, 1860, and January 8, 1861. Buchanan, when he said, "The proposition to

⁵⁰Klein, Buchanan, p. 136.

⁵¹Ibid.

compromise by letting the North have exclusive control of the territory above a certain line, and to give Southern institutions below that line, ought to receive universal approbation," was certainly referring to the Crittenden plan. No compromise was possible any longer, however, as men "appear to have been indifferent to everything but the dogmas of a party platform."⁵² Buchanan's rhetoric while president will be studied in more detail in Chapter VI.

The significant questions raised in Chapter VI concern Buchanan's ability to find new strategies to meet new rhetorical situations. Would he be able to analyze the complex national audience and discover rhetorical means for holding back the swelling tide of sectionalism? Or, his argumentative habit prevailing, would he treat the crises of the fifties with the same rigid legalisms so characteristic of his earlier years? We shall examine Buchanan at the rhetorical apex of his career in the chapter entitled, "The Rhetorical Strategy of Preserving Peace."

The rhetorical portrait of James Buchanan has many facets. Among the many sides to his personal and rhetorical character revealed in this chapter, however, certain features distinctly shine forth to give a clear picture of the man as he appeared on the platform. Buchanan was a prudent, industrious, and well educated man. These characteristics were reflected in the cautious, legalistic, and well-prepared public addresses delivered on many occasions throughout a long and varied political career. Like his father, he was a solicitous family man (devoted to his sisters, brothers and their

⁵²Curtis, II, 437.

offspring while he himself remained a bachelor all his life) who eventually saw himself as a national patriarch: "To go down in history as a great and good man, to be a benevolent father to his people, was his ideal."⁵³ His inaugural address was indicative of his paternal feelings toward all of the American people. Like his mother, he was devoted to the art of argumentation, a skill he developed and expanded through his exposure to legal studies, congressional debates, and ideal models such as William Lowndes. Lowndes' influence on Buchanan was unmistakable, its consequences immeasurably great.

Buchanan's early ideological difficulties were soon settled. His early Jeffersonian liberalism gave way to constitutional conservatism. Buchanan came to have a low opinion of man's ability to rule himself. The Constitution, with its inherent restraints on the vagaries of human conduct, was to become Buchanan's ideal, his ideology, if not his religion:

Buchanan believed that the essence of self-government was restraint. Written constitutions, he thought, were the most useful invention of his age, but what were constitutions "but restraints imposed, not by arbitrary authority, but by the people upon themselves and their own representatives?" "Restraint," he said, "restraint--Sir, this Federal Government is nothing but a system of restraints from beginning to end." That alone could preserve the Union of several dozen states which differed from each other in their language, their soil, climate, and products.⁵⁴

Considering his reverence for the Constitution, it is not surprising that he was one of its staunchest defenders. Neither is it difficult

⁵³Randall and Donald, The Civil War and Reconstruction, p. 102.

⁵⁴Klein, Buchanan, pp. 142-143.

to understand how Buchanan came to regard the Constitution as the hope for peace during the nation's greatest crisis in 1860-61.

As Buchanan engaged in his legalistic and constitutional advocacy, he found in public speaking the means necessary to win and maintain political office. Sensitive to the value of relying on speaking to express his views, he spoke in order to keep the public eye focused on him. A part of his rhetorical strategy was the appearance of non-partisanship. He wished to appear busy, dependable, loyal to party, but yet detached from entangling issue commitments which might give political leaders in Pennsylvania or Washington reason not to prefer him to others. He skillfully established himself as a powerful advocate who at the same time remained non-partisan on crucial issues. Although it took thirty-five years, Buchanan seemed to have fashioned an attractive image of himself; or at least the Democratic Party leaders thought so in 1856:

They [party leaders] might find a leader in James Buchanan of Pennsylvania. His advantages were impressive. Now aged sixty-five, he was as ripe as Pierce had been green. Public office had been his almost continuously through forty-two years: as Representative, Senator, Jackson's Minister to Russia, Polk's Secretary of State, and Pierce's Minister to Great Britain. The last had kept him blessedly free from all Kansas-Nebraska taint. The old functionary had gained place by a crafty, plodding, uninspired, but effective intelligence. He was canny and took "sound" conservative ground, which commended him to the solid German constituency of his home Lancaster County. Backed locally by this substantial community, he tirelessly cultivated support outside.⁵⁵

As we shall see in ensuing chapters, much of this outside support was acquired through the medium of public speaking.

Only one outstanding feature remains to be noted: Buchanan's

⁵⁵Roy Franklin Nichols, The Disruption of American Democracy (New York, 1948), pp. 11-12.

faith in compromise, rhetorically forged:

The willingness of a majority to extend some consideration to the minority, the acceptance of compromise as the only method short of war or despotism for settling political disputes, these attitudes alone could perpetuate self-government and the federal system.⁵⁶

It is perhaps this penchant for resolution by compromise within a constitutional framework which most accurately reveals the rhetorical portrait of James Buchanan. Both premises figured significantly in the greatest rhetorical efforts of his life.

⁵⁶Klein, Buchanan, p. 143.

CHAPTER III

APPLICATION OF THE "LOWNDES FORMULA" IN HOUSE DEBATE

James Buchanan came to the House of Representatives in December of 1821 determined to be a "business member" of the Seventeenth Congress. As it turned out, he was to remain in Washington as a "business" representative of his district and state for the better part of twenty-four years. He served in the House from 1821 to 1831 and in the Senate from 1834 to 1845. All the while he was a very active parliamentarian, delivering at least twenty-five major speeches, making countless other remarks in the give and take debate, and serving as member and then chairman of important committees. During the course of his congressional career, Buchanan's path crossed that of great men. "The decade he spent in the Senate," Klein remarks, "brought him into daily contact with probably the most distinguished group of American statesmen ever assembled there, a company including not only five future Presidents of the United States (Van Buren, Tyler, Polk, Fillmore, and Pierce) but also such parliamentary giants as Webster, Clay, Calhoun and Benton."¹ The purpose of this chapter is to demonstrate how Buchanan met the rhetorical problems facing him in the House of Representatives and to evaluate the rhetorical methods he used after he had decided a rhetorical course to follow.

¹Klein, Buchanan, p. 142.

Buchanan's problems were not peculiar to him. They were and are peculiar to any young congressman who wishes to be an active and productive legislator, a "business member." The rhetorical problems the Pennsylvania representative faced, and those that would face any ambitious congressman, were two: (1) "What rhetorical stance shall I take on the major issues which are to be discussed in the House?" and, (2) "What rhetorical strategy shall I employ through the course of debates in which I become engaged?" He found answers to both questions through the use of the "Lowndes formula."

The "Lowndes Formula"

Buchanan was no stranger to the art of speaking publicly when he entered the House in 1821. After all, he had delivered several significant campaign speeches to large gatherings in Lancaster on the Fourth of July, 1814 and 1815, had spoken frequently in the Pennsylvania State Assembly from 1815-1816, and had pled cases at court very often between 1810 and 1820. He reached spectacular forensic heights when he defended Judge Franklin in 1816, 1817, and 1818. All these experiences provided a good foundation for the speaking demands facing the young congressman in 1821.

However, the House of Representatives was not the same as the legislature in Harrisburg. There, his duties required little more than average skill. Few constituents pressed for legislation and those that did sought the introduction of bills which placed only mild demands on his speaking ability. Only once did he face a difficult task as Assemblyman, and on that occasion he erred seriously.² Further, there were no Henry Clays or John Randolphs

²See Chapter II above, pp. 12-13.

with whom one was to be compared in Harrisburg. Lastly, Harrisburg was only thirty miles down the pike--few Lancasterians worried about being out of touch with their representative.

On the other hand, the House and Washington were distant. It is likely constituents took peculiar interest in representatives who served them at places hundreds of miles from home--at distances where personal contact was impossible and control by mail slow and difficult. The very remoteness of the representative placed unusual demands on the speaker. Some elected officials might feel freer away from home but Buchanan, who hoped to please his voters, took his duties seriously. He felt the people of his district were watching and judging him constantly. What is more, there were great orators with whom one could choose to compete. Buchanan's instincts, sharpened by his mother's prodding toward disputatiousness, were to strive for recognition--the same instincts which motivated him to be at the head of his class at Dickinson in scholastic and less admirable competitions. Lastly, Washington was where the laws of the land were made. Issues of earth-shaking proportions would be debated in Congress and he had to decide if he were big enough to "mix it up with the professionals for high stakes." Though he did not shrink from the frightening responsibilities, there is evidence to support the notion that he stood in awe of his new position.

More to the point, there is evidence that Buchanan did not take his speaking chores lightly. If one decided to become a "business member," after all, one had to engage in the medium of House business--debate, in committee and on the floor. It was the latter

form of public address which challenged Buchanan most at first even though he was appointed to the committee on Agriculture his third day in the House. Despite all his past experience in public speaking, Buchanan had the chilling feeling he was at a disadvantage. And indeed he was.

Although twenty-nine years of age with at least ten years of speaking experience behind him, he was no match for John Randolph and Henry Clay, both of whom were endowed with more natural ability and had been in the House acquiring rich experience for a decade or more (Randolph since 1799). Concrete evidence found in the words of Buchanan himself supports the inference drawn here that he was deeply concerned about the challenge of House debate. The most significant evidence is in his autobiography in which are to be found implications showing his awareness of the problem.

Buchanan's account of his first term in the House abounds with his impressions of the influential members of the House. Curtis discloses Buchanan's reverence toward great men in both houses:

In the Senate, Rufus King, who had been a Senator during Washington's Administration, and Nathaniel Macon, who had been a Representative at the same time, gave a flavor of the formative period of the Republic. John Galliard and William Smith (of South Carolina) and James Brown (of Louisiana) were also among the older members. A somewhat younger class of men numbered among them Martin Van Buren, who succeeded General Jackson as President.

Mr. Buchanan always considered it one of the great advantages of his early life that he had the benefit, at this early period, of the society of Mr. King and Mr. Macon, and he always spoke in the most grateful terms of their personal kindness to him.³

³Curtis, I, 25.

Buchanan sought the approval of older men and the respect of younger ones. His autobiography is specific about the rhetorical qualities of the men he observed in the House. It was from them he wanted respect and with them he must compete. He pointed to Randolph, Sergeant, and Lowndes as rhetorical exemplars, choosing lessons in House debate from the trio. Lessons to Buchanan, who was revealing important rhetorical distinctions in his autobiography, could be either positive or negative.

John Randolph, if not a threat to Buchanan, put him on his guard:

John Randolph of Roanoke was the most conspicuous, though far from the most influential member of the House, when I first took my seat. He had entered the House in 1799, and had continued there, with the exception of two terms, from that early period. His style of debate was in perfect contrast to that of Mr. Lowndes. Hewas severe and sarcastic, sparing neither friend nor foe, when the one or the other laid himself open to the shafts of his ridicule. Hewas a fine belles-lettres scholar, and his classical allusions were abundant and happy. He had a shrill and penetrating voice, and could be heard distinctly in every portion of the House. He spoke with great deliberation, and often paused for an instant as if to select the most appropriate word. His manner was confident, proud, and imposing, and pointing, as he always did, his long forefinger at the object of attack, this gave peculiar emphasis to the severity of his language. He always attracted a crowded gallery when it was known he would address the House, and he always commanded the undivided attention of his whole audience, whether he spoke the words of wisdom, or as he often did, of folly. For these reasons he was more feared than beloved, and his influence in the House bore no proportion to the brilliancy of his talents. He was powerful in pulling down an administration, but had no skill in building one up. Hence he was almost always in the opposition, and never what is called a business member. To me he was always respectful and sometimes complimentary in debate. I well remember Mr. Sergeant putting me on my guard against Mr. Randolph's friendship.⁴

From Buchanan's speeches it can be determined that Randolph was both a positive and negative example. Buchanan wished to be a

⁴Moore, XII, 313-314.

"business member," and from the above quotation this seemed to mean constructive service. That is, Buchanan did not always want to be in the opposition for the sake of destroying an administration. He often tried to build things up (although in 1828, in his speech on Retrenchment, he desperately needed Randolph's powers of destructive sarcasm). Further, Buchanan wanted to be beloved and not feared. Therefore, he usually omitted ridicule, at which, it will soon be discovered, he lacked talent anyway. Yet he admired Randolph's sway over the galleries and I believe was envious of the Virginian on this count. Note that he compliments Randolph on being heard. Buchanan proudly proclaimed in a letter to Judge Franklin that he could be heard by all present in the House, not an easy task in view of the poor acoustics in the hall. Again, Buchanan was envious of Randolph's genius and his acquaintance with belles-lettres. He occasionally included classical, biblical and historical allusions in his speeches too. Overall, he rejected the Randolph style but found some characteristics worthy of cultivation in his own speaking.

Buchanan seems more impressed with John Sergeant, a Philadelphia lawyer who reached Congress six years before. Sergeant, a successful lawyer before his election to Congress in 1815, was a champion of uniform bankruptcy laws and internal improvements, even favoring a high tariff when his constituents were opposed to protection. He was more famous as a friend of Nicholas Biddle and served as "the chief legal and political adviser to the Second Bank of the United States."⁵ When Buchanan arrived in Washington,

⁵Dictionary of American Biography (New York, 1935), XVI, 558.

Sergeant was already one of the most influential members of Congress.

Buchanan spoke highly of him, but was wary of his rhetorical ways:

Mr. Sergeant entered the House in December, 1815, and had continued to be a member since that day. As a lawyer, he stood in front rank among the eminent members of the bar of Philadelphia, at a period when its members were greatly distinguished throughout the country for ability and learning. His personal character was above reproach. From his first appearance he maintained a high rank in the estimation of the House. As a debater, he was clear and logical, and never failed to impart information. His fault was that of almost every member of Congress who had become a member after a long and successful training at the bar. He was too exhaustive in his arguments, touching every point in the question before the House without discriminating between those which were vital and those which were subordinate. His manner was cold and didactic, and his prolixity sometimes fatigued the House. In his social intercourse with the members, he was cold but not repulsive. The high estimation in which he was held, arose from the just appreciation of his great abilities, and from his pure and spotless private character. There was nothing ad captandum about him. He was regarded by his constituents in Philadelphia with pride and affection, who generally spoke of him as "our John Sergeant."⁶

The implications regarding Buchanan's rhetorical awareness can be partially drawn from whom he has chosen to comment on and from what he notices about the rhetorical qualities of each. From Sergeant, we may assume, Buchanan had found an ethical model. It seems logical he wished to have the "high estimation" the House members accorded Sergeant because of his abilities and irreproachable character. Of course, Buchanan wished to display himself the same intellectual, efficacious and ethical qualities demonstrated by Sergeant. Note that he finds most lawyers make long-winded speakers. We may assume he planned to avoid tiring his fellow members and thus break away from the habit of prolixity possessed by most men of the legal profession. We shall see toward the end

⁶Moore, XII, 314.

of this chapter how well Buchanan obeys the advice he seems to make appropriate to himself.

There were rhetorical lessons to be learned from many congressmen. Buchanan chose three of the most noteworthy, including Randolph and Sergeant, just discussed. The contention here, however, is that Congressman William Lowndes of South Carolina, the third man singled out for special comment in his autobiography, made the greatest impression on him. What is more, it was in Lowndes that Buchanan found his ideal. To him, Lowndes was a "beau-ideal of a statesman . . . by whose early death, in 1822, the country lost one of the ablest, most accomplished and purest men it has ever produced."⁷ It was no accident that Buchanan took such a fancy to this tragic young South Carolinian. Although few know of him today, Lowndes was very highly regarded throughout the United States in his own time. As mentioned in the preceding chapter, Buchanan knew much of Lowndes before the former got to Congress. Langdon Cheves, another forgotten man who was also well known in his day, had lived in Lancaster for several years and had during that time duly impressed upon Buchanan's mind the greatness that was Lowndes'. Cheves was a member of that brilliant trio of statesmen South Carolina sent to Washington in 1810. Of them, only Calhoun has achieved the immortality that perhaps belongs to Cheves and Lowndes as well.⁸

Cheves was correct. Lowndes was thought to be great by his contemporaries. Lowndes, elected to Congress in 1810, along

⁷Curtis, I, 25.

⁸Fannie White Carr, "William Lowndes," South Atlantic Quarterly, I (1902), 366.

with Cheves and Calhoun, "was early marked for his clear, luminous style of writing and speaking"⁹ The three, along with Clay, formed the nucleus of the "war hawk" group which opposed Jefferson's Embargo and Non-Intercourse policies. Lowndes "considered his part as one of the 'war hawks' in bringing on the 'Second War for Independence' his greatest achievement."¹⁰ Lowndes' reputation grew as he spoke on measures to increase the military, and especially the naval strength of the country. He was author of the sinking fund act under which the national debt was to be retired in fourteen years. He engaged in countless debates, not the least important was the question over the admission of Missouri to statehood. Perhaps only Clay deserves more credit for the peaceful settlement of the Missouri question. The issue turned, some have said, when Lowndes advocated the admission of Missouri under a constitution of her own "by a speech so calm and dispassionate as to win approval from both sections in the midst of a frenzied debate."¹¹ Toward the end of the struggle, Lowndes' health, never good, deteriorated rapidly (he had been ill since age seven from inflammatory rheumatism contracted while a school boy in England) which forced him to turn the handling of the Missouri question entirely over to Clay. Not long after, Lowndes was nominated by the Legislature of South Carolina for the presidential election of 1824, and this above the immortal Calhoun. No wonder Buchanan was so impressed (as were so

⁹DAB, XI, 473.

¹⁰Ibid.

¹¹Ibid.

many others) by this man, tall, thin, with a grave but dignified bearing. According to his only biographer, Lowndes was the author of the enduring adage that "the presidency is not an office to be either solicited or declined,"¹² a sentiment to be expressed by such later presidential possibilities as Adlai Stevenson and Nelson Rockefeller. Buchanan came to the House at the same time as news arrived of Lowndes' nomination by the South Carolina Legislature. Buchanan records that "the new members of the House awaited his arrival in Washington with much interest."¹³ The older members thought highly of Lowndes also:

Towards the end of his life Mr. Clay told Colonel John Lee of Maryland, that among the many men he had known he found it difficult to decide who was the greatest, but added, "I think the wisest man I ever knew was William Lowndes;" and Mr. Cheves, in a conversation with the Reverend Charles Cotesworth Pinckney, late rector of Grace Church, Charleston, lately published in "Lippincott's Magazine," but prepared for the press many years since, said, "Mr. Calhoun is far more brilliant, and his mind more keen and rapid; he is a man of genius, and has the temptation of such men to leap to conclusions boldly, perhaps too hastily. But in the power of looking at a subject calmly, dispassionately, in every light, Mr. Lowndes had no superior. I should have preferred his judgment to that of any other man, and such I think was the feeling of his contemporaries. I will illustrate my view. If the nation were in great peril and Mr. Lowndes recommended one policy and Mr. Calhoun an opposite one, I think that a majority of the American people would have said, 'Intrust the country to the guidance of William Lowndes, follow his counsel;' and in my judgment they would have done wisely."¹⁴

It is likely James Buchanan had the same faith in Lowndes. Cheves thought of Lowndes as the ideal leader, the best man to have in the presidency, especially in times of trial. Could it be that

¹²Mrs. St. Julien Ravenel, Life and Times of William Lowndes (Boston, 1901), p. 226.

¹³Moore, XII, 309.

¹⁴Ravenel, p. 239.

as early as 1821 Buchanan himself was thinking of the presidency and that he chose as his model of statesmanship a man already nominated by his state believing that to follow such a man was the best formula for success in politics? The writer thinks it is highly likely. We already know Buchanan had a good opinion of himself. It is not beyond the stretch of the imagination that the young man dreamed of achieving the respect of his peers to the extent Lowndes did and even considered the possibility of becoming president. The following comments excerpted from the autobiography are indicative of the high regard Buchanan had for the ailing representative from South Carolina:

Mr. Lowndes had been unanimously nominated in December, 1821, by the Legislature of South Carolina, as a candidate for the Presidency to succeed Mr. Monroe. To this he made no direct response. In a letter to a friend in Charleston, after stating he had not taken and never would take a step to draw the public eye upon him for this high place, he uttered the memorable sentiment: "The Presidency of the United States is not, in my opinion, an office to be either solicited or declined." And such was the general conviction of his candor and sincerity that no man doubted this to be the genuine sentiment of his heart. Fortunate would it have been for the country had all future aspirants for this exalted station acted in accordance with this noble sentiment. At the time, as Mr. Benton truly observes, "he was strongly indicated for an early elevation to the Presidency--indicated by the public will and judgment, and not by any machinery of individual or party management, from the approach of which he shrank as from the touch of contamination."

When Mr. Lowndes took his seat in the House, it was apparent to all that his frail and diseased frame betokened an early death, though he was then only in the forty-first year of his age. He was considerably above six feet in height, and was much stooped in person. There was nothing striking in his countenance to indicate great and varied intellectual powers. As a speaker he was persuasive and convincing. Though earnest and decided in the discussion of great questions, he never uttered a word which would give personal offense to his opponents or leave a sting behind. His eloquence partook of his own gentle and unpretending nature. His voice had become feeble and husky, and when he rose to speak, the members of the House, without distinction

of party, clustered around him so that they might hear every word which fell from his lips. Towards his antagonists he was the fairest debater ever known in Congress. It was his custom to state their arguments so strongly and clearly that John Randolph, on one occasion, exclaimed: "He will never be able to answer himself." He possessed all the information necessary to the character of a great American statesman; and this, not merely in regard to general principles, but to minute practical details.

.....
 Mr. Lowndes' great influence---for he was the undisputed leader in the House---arose in no small degree from the conviction of its members that he never had a sinister or selfish purpose in view, but always uttered the genuine sentiments of his heart In his social intercourse with his fellow-members he was ever ready and willing to impart his stores of information on any subject, without feeling the least apprehension that these might be used to anticipate what he himself intended to say, or in debate against himself. His health continuing to decline, he resigned his seat in the House, and by the advice of his physicians, embarked in October, 1822, from Philadelphia in the ship Moss, with his wife and daughter, for London. He died on the passage, on the 27th of that month, and was buried at sea.

.....
 I have written much more than I should otherwise have done to repair injustice done to the character of the ablest, purest, and most unselfish statesman of his day.¹⁵

It is quite obvious many men were impressed with Lowndes the man. So was Buchanan. But he was particularly interested in the rhetorical part of the man. It would be wise to describe the Lowndes debate formula before analyzing Buchanan's fascination for it. Describing Lowndes' rhetoric is difficult because few of his many speeches were preserved. According to the National Intelligencer, as quoted by Buchanan, "of all the distinguished men who have passed periods of their lives in either House of Congress, there is certainly no one of anything like equal ability who has left fewer traces on the page of history or on the records of Congress than William Lowndes, the eminent Representative in Congress for several years of the

¹⁵Moore, XII, 309-311.

State of South Carolina."¹⁶ The reason most often given for so few extant records of Lowndes' speeches is that he wrote out his speeches neither before nor after he presented them. On one occasion only did modesty allow him to permit the printing of a speech. The scribes in the House recorded as best they could, however, and fortunately the Annals of Congress contain rather full accounts of several of Lowndes' more important speeches.

The writer has read accounts of two of Lowndes' important speeches. From these readings, and from commentaries by Lowndes' contemporaries and modern writers, he has postulated that the South Carolinian followed a fairly definite pattern of speaking, here termed the "Lowndes formula." Buchanan, learning much from Cheves before 1821 and from Lowndes himself as he heard him speak in the House in 1821, drew certain rhetorical conclusions about his "beau-ideal." Excerpts taken from Buchanan's autobiography above, point out Buchanan's awareness of Lowndes' strong ethical appeal, his summarization of the arguments of opponents, and his dependence upon reasoned cases fully amplified. Lowndes' biographer, Mrs. Ravenel, writing her work from original materials (letters, speech notes and manuscripts, reports, etc.) collected by Lowndes' widow, remarked on a particular rhetorical characteristic: "It [a speech Lowndes delivered on the Missouri question in 1820] examines the case so calmly and dispassionately that Mr. Lowndes was asked ironically whether he came from North or South."¹⁷ Klein has observed

¹⁶Ibid., p. 312.

¹⁷Ravenel, p. 210.

similar characteristics in the speaking of Lowndes noted by Buchanan, Randolph, and Ravenel: ". . . sincerity of purpose, full command of information, gentleness of address, an aversion to giving offense to an opponent, and utter fairness in debate."¹⁸

The same characteristics of fairness, courtesy, reason, and full information are evident in the speeches of Lowndes studied by the writer. One additional characteristic was discovered, however. Lowndes seemed to make his speeches toward the end of debates in the House when, it appears, he hoped to have maximum influence on the outcome of the discussion. Attention is called to Lowndes' speech on the Seminole War, January 19, 1819.¹⁹ This speech came at the conclusion of the House debate concerning the progress of the Seminole War. Lowndes' last speech on the Missouri question was "so calm and dispassionate as to win approval from both sections in the midst of a frenzied debate."²⁰ Mrs. Ravenel has summarized the entire congressional career of her subject, indicating the debates in which he was engaged and the point of his entrance into the fray. The writer has observed that Lowndes made his major speeches at the turning point in the debates. Typical of these was the speech on the War Department Deficiency Bill, which was actually delivered by Buchanan, coming as it did at the culminating point in the discussion.

Miss Carr, basing her remarks on the materials collected by

¹⁸Klein, Buchanan, p. 38.

¹⁹Annals of Congress, 15 Congress, 2 Session (January, 1819), columns 912-922.

²⁰DAB, XI, 474.

Mrs. Ravenel, reached positive conclusions regarding the speaking characteristics of William Lowndes which tend to corroborate most the Lowndesian tenets posited by the writer below:

During the eleven years that Lowndes was a member of congress, he did not speak as often as some others, but when he spoke there was that in his manner which commanded attention. The foundation of his success as a speaker was laid deep. He spared no pain in getting the facts, oftentimes surprising his opponent with a truth that the latter had overlooked. His manner was modest but confident. When others appealed to men's passions, he appealed to their judgments. It was his habit on taking the floor to review the arguments of his opponents before proceeding to refute them.²¹

From the evidence gathered from a variety of sources, the writer has concluded that Lowndes' speaking may be characterized as follows:

(1) Lowndes customarily made his major rhetorical efforts at the rhetorical climax in House debates, when feelings were running high and the issue was in doubt; (2) Lowndes presented a reasoned case at the crucial point, appealing to men's judgment rather than their passions; (3) Lowndes began his speeches by reviewing the arguments of his opponents, presenting the opposite side as forcefully and favorably as he could, before proceeding to refute them; (4) Lowndes attempted to demonstrate the "truth" with a full command of information about the subject under discussion; (5) Lowndes made ethos the key-stone of his rhetoric which he achieved by utter fairness to opponents, by constantly searching for "truth," by abundant knowledge of the case, by dispassionately treating the most emotion laden subjects, and by a modest but confident manner. This is the formula for debating success Buchanan learned from Lowndes. It was a very appealing rhetorical formula based on a combination of techniques and

²¹Carr, p. 371.

strategies, and it became the ideal system for Buchanan. The formula itself will be appraised in the conclusion to this chapter.

In many ways Buchanan came to the House naturally ready to adopt the "Lowndes formula." He was not ready to plunge into debates headfirst because he wasn't sure he knew where he stood on a given issue. Therefore, the idea of sitting back and waiting for the rhetorical climax to develop was highly necessary. He had to wait until the issues became clear and the opposing camps were identified. Further, his ego was great and it appealed to his sense of self-importance to come into a dispute when feelings were running high, when the solution was hidden by party passion, and when the whole case was confused by the maze of arguments on both sides. At that juncture, at the point of confusion, he hoped to demonstrate his political and intellectual acumen by providing a workable solution as a way of surmounting the impasse. Further, he was conditioned by years of legislative and courtroom speaking to the use of reasoned discourse. As noted in Chapter II, "his speechmaking was characterized by precision, tight reasoning and tedious amplification." Lowndes' rhetoric relied heavily on "full information," a factor also noticed in Buchanan's early speeches. From the foregoing discussion in this section, it is safe to conclude the following:

1. When Buchanan came to the House of Representatives in 1821, he needed a rhetorical formula despite his extensive public speaking experience previously acquired.
2. Buchanan admired William Lowndes as a statesman and speaker.
3. Lowndes had a distinctively unique rhetorical manner which was evident to his contemporaries and which contributed to his success as a parliamentarian.
4. Buchanan was well suited to the Lowndes style of debate.

5. Buchanan adopted the "Lowndes formula."²²

The remainder of the chapter will be devoted to studying and appraising Buchanan's efforts to adapt the "Lowndes formula" to debates in which he became involved in the House of Representatives from 1821 to 1831.

Application of the "Lowndes Formula"

The link between Buchanan and Lowndes, as demonstrated above, is clear. Buchanan felt unsure in House debate, looked around for a model, his eyes fell on Lowndes, of whom he was already well informed, and decided to incorporate into his own speaking definite and distinct Lowndesian rhetorical characteristics. An even more positive piece of evidence linking rhetorically these two men is to be found in connection with Buchanan's maiden speech. It was delivered within a month after taking his seat:

A few days before Congress reconvened [following the Christmas recess, December, 1821], several gentlemen called on Buchanan with a proposition. They wanted him to accept the notes collected by Lowndes on the War Department Deficiency Bill, construct them into a speech, and deliver it. Lowndes was ill and unable to do this job himself. He wished to save John C. Calhoun, Secretary of War, from his present embarrassment. Would Mr. Buchanan take over? He would indeed. With the most exquisite pleasure.²³

²²To substantiate further the conclusion that Buchanan consciously adopted Lowndes as his rhetorical model, the reader is asked to consider at once the opinions supporting this conclusion expressed by Klein, Buchanan, p. 38, and Curtis, I, p.25. In addition, the reader's attention is called to the rhetorical features Buchanan singles out in Lowndes' speaking as set forth in the Buchanan Autobiography and quoted on pp.62-63 in this chapter. The implication is strong that Buchanan found Lowndes to be a "beau-ideal of a statesman" because of Lowndes' rhetorical attributes.

²³Klein, Buchanan, p. 39

In effect, Buchanan and Lowndes would collaborate on the maiden speech. It is not known how much credit for the finished speech should go to Lowndes and how much to the young Congressman from Pennsylvania. The more important consideration is that Buchanan's maiden speech was an occasion for an actual rhetorical union. It is all the more important in light of previous discussion--Buchanan needed a model and found one in Lowndes. In the War Department Deficiency Bill we literally see one man's rhetoric transfused into the rhetoric of the other. It is necessary to study the speech on the War Department Deficiency Bill first for evidence of Lowndesian rhetoric and then study a representative Buchanan speech or two given years later in order to clearly see the effect of the transfusion. Buchanan attempted to follow the "Lowndes formula" and he started doing it in his first major congressional address on January 9, 1822.²⁴

The facts surrounding the occasion for the speech are well known. John C. Calhoun, Secretary of War in Monroe's second administration, had spent \$70,000 more for Indian affairs than the House had appropriated for the year 1821. A bill had then been introduced by Mr. Smith of Maryland calling for an additional appropriation to meet the deficit and thus relieving Calhoun of the responsibility of reimbursing the government from his own pocket. Lowndes wished to support the bill but was physically unable to transform his notes into a finished speech and deliver it. It was important that a strong speech be made in behalf of the bill for Calhoun's enemies

²⁴Annals of Congress, 17 Congress, 1 Session (1821-1822), I, 682-690.

were formidable:

There was in the House at this time a group calling itself the Radical party whose object was to limit the activities of the federal government to the narrowest possible range. One means to this end was retrenchment, a rigorous cutting down of the expenses of government. William Harris Crawford led this party, which was particularly hostile to John C. Calhoun. The root of their antagonism was doubtless their conflicting ambition for the presidency, but the immediate source of trouble was Calhoun's alleged extravagance in administering the War Department The Deficiency Bill on which Lowndes had planned to speak would enable Calhoun to pay the debts incurred by the Indian Bureau of his Department.²⁵

Buchanan, barely in the House three weeks when friends of Lowndes approached him, must have been delighted at the chance to try out his new debating method, a combination of his own and that he had adopted from Lowndes.

Buchanan's first speech was a model of logic and common sense--a sign of the brand and quality of speaking for which he was to become well known. The speech is organized on a general to specific principle. Following an introduction, designed to establish the speaker's qualifications and good intentions, Buchanan proceeds to a general discussion of the role of Congress with respect to funding executive departments from which he gradually moves to a consideration of the charges brought against a specific executive officer, Calhoun. Within this deductive framework, a series of arguments, constitutional, economic, moral and common sense, is employed to destroy the case of the opposition and lead to the inevitable conclusion that the appropriation should be endorsed by the House. The underlying theme of the speech was in the form of a legal principle borrowed by Buchanan: "It ought to be a maxim

²⁵Klein, Buchanan, p. 39.

in politics, as well as in law, that an officer of your Government, high in the confidence of the people, shall be presumed to have done his duty, until the reverse of the proposition is proved." In actuality, the entire speech has a legal flavor to it--the flavor of a summation speech by a defense counselor in a criminal case. It is true that Calhoun had been indicted by the Radicals. Buchanan came along and, in a sense, played the role of the defense counselor, defending Calhoun of the charges brought against him. As will be seen shortly, chief among these defenses is a legal argument. There is to be found, also, pathetic appeals of the same character used by a lawyer pleading before a jury. It is only natural that Buchanan's legal background should carry over and blend in with the Lowndes style. One recognizes certain legalistic features in the speaking of Lowndes too who was himself a lawyer by profession.²⁶ The more immediate concern here, however, is to what degree do we see the Lowndes influence evident in Buchanan's maiden speech.

First, Buchanan's speech coincides with the rhetorical climax. He shows he is aware of the arrival of the decision point in his very first remarks: "On Friday last, when the House adjourned, I did believe that the subject now before the Committee was involved in doubt and in mystery. I thought a dark cloud hung over the transaction" It is at the point of confusion, when the outcome is in doubt, that Lowndes and Buchanan choose to enter the fray. The doubt and darkness obviously refers to the state of mind of the members of the House who have been overwhelmed with heavy and appealing

²⁶Ravenel, p. 50.

pleas from both sides. Buchanan will begin the habit in this speech, the habit so long practiced by Lowndes, of attempting to carefully time his entrance into the debate. Not too soon--arguments can be wasted before an audience is ready to decide. Not too late--it is difficult to change the thinking of listeners who have gone beyond the rhetorical climax and have had their equilibrium restored by discovering a satisfying solution to the problem, a solution which provides intellectual and moral peace of mind. Lowndes liked to pick out that rhetorical moment when decisions are made and come forward with a sane, rational, reasoned and passionless solution--a solution which evaporates "doubt and mystery." Listen to how well Buchanan takes to the "Lowndes formula"--he will attempt to give the pivotal speech for which Lowndes was famous: "I thought that a dark cloud hung over the transaction, which ought to be cleared up before the House could give its sanction to this appropriation. After a careful examination, the mystery has vanished--the cloud has been dispelled--and, to my view, the subject appears clear as the light of day." "Clear as the light of day"--Buchanan is taking credit here for shedding light on a darkened area. In so doing he is showing a natural talent for Lowndesian style but he is also guilty of a serious miscalculation. It would be easier to see the miscalculation, or ethical flaw, if the introduction to the War Deficiency speech is diagrammed according to the Ehninger-Brockriede-Toulmin model:²⁷

²⁷Wayne Brockriede and Douglas Ehninger, "Toulmin on Argument: An Interpretation and Application," Quarterly Journal of Speech, XLVI (February, 1960), 44-53.

Therefore

(D) _____ (C)

"I thought that a dark cloud hung over the transaction, which ought to be cleared up before the House could give its sanction to this appropriation. After careful examination, the mystery has vanished--the cloud has been dispelled--and to my view, the subject appears clear as the light of day"

The members of the House should listen carefully to Buchanan's reasons for supporting the War Deficiency Bill.

Since
(W)

What Buchanan says about the bill is worthy of serious consideration.

Because
(B)

Buchanan can be depended upon to study legislation objectively/has carefully studied this bill/ is a wise man.

Buchanan is presenting an authoritative or ethical argument in the opening remarks diagrammed above. The serious difficulty arises when one considers that it is presumptuous of Buchanan to expect his listeners to accept the warrant and its backing. The warrant may be true but hardly anyone in the audience is in a position to know if it is true or false. The speech was delivered on Wednesday, only four days after Buchanan admits he had an opposite opinion. The audience is asked to accept him as an authority after only three weeks of legislative experience in the House. Chances are the "dark cloud" was removed from the transaction by means of Lowndes' request and not by "careful examination." Yet, the speech that follows these opening remarks is indicative of serious study and careful examination of the facts. Buchanan's listeners may have been appalled at the

outset by his attempt to provide presumptuous authoritative proof, but by the time the speech was over they more than likely would agree the warrant was justified. Buchanan, with Lowndes' help, had studied the case thoroughly. There was no doubt of this at the end. But further analysis is necessary before definite conclusions are drawn.

Like Lowndes, Buchanan reviews arguments put forth by his opponents, stating them clearly and forcefully. In the speech on the War Department Deficiency Bill, there is only one significant charge against Calhoun and therefore only one significant argument against passing the bill. It is a compelling argument and Buchanan states it in its most convincing form. Indeed, the argument is so powerful that Buchanan spends the bulk of his time attempting to refute it:

Before I come to the principal question, Mr. Chairman, permit me to answer one of the arguments which has been eloquently and ingeniously urged by the gentlemen of the opposition.

It has been said, with truth, that the Constitution provides "That no money shall be drawn from the Treasury but in consequence of appropriations made by law." It is certain that this provision is the best security for the liberties of the people in the whole of the instrument. Once transfer this branch of power vested in Congress, by the Constitution, to the Executive, and your freedom is but an empty name. That Department of Government having command of the purse, might very soon assume the power of the sword.

Buchanan does not minimize the power of the argument. In fact, he calls it eloquent and admits it is based on constitutional truth.

He has hereby put himself at a disadvantage, it would seem, by so candidly reviewing the most potent argument of the opposition.

The Constitution provides "no money shall be drawn from the Treasury but in consequence of appropriations . . ." This quotation glaringly calls attention to Calhoun's behavior. He drew \$70,000 from the

Treasury above congressional appropriations. It would seem Calhoun has directly violated the Constitution. Buchanan goes further. This provision is "the best security for the liberty of the people." Calhoun seems to have threatened the security of the people. The power over the purse strings must not be transferred to the Executive. Should the power be transferred there is the risk of a dictatorship displacing democracy. By these implications alone, Buchanan has clearly admitted that the arguments of the opposition suggest Calhoun's expenditures above the \$100,000 appropriation constitutes a monstrous menace to the sacred laws of the land and to the peace and security of the people. To Buchanan's strategy also, Randolph might have said, "He will never be able to answer himself." But the strategy, while perhaps dangerous, has the advantage of gaining attention. Buchanan, and Lowndes, seem to feel the strategy wins admiration and respect--that there are ethical rewards to be gained by candidness. Further, if counterarguments can be found to overturn the advantage given to the opposition, the obvious reason the listener must provide to himself is that the case of the speaker is extremely powerful--so powerful it overwhelms the very strong case set forth by the opposition. Therefore, the strategy elevates the significance of the speaker's refutation by the very fact that there is so much to overcome. Whether this is psychologically sound or not, it seems to be the chief justification Buchanan and Lowndes have for the use of the strategy in the first place. Let us see how it works.

Buchanan begins his parade of arguments by denying the fact that the truth in the main objection applies to Secretary Calhoun.

"Has the Secretary of War violated this salutary provision? Has he drawn money out of the Treasury without appropriation made by law for that purpose? Unquestionably not." Instead of sanctioning such an unconstitutional act, Calhoun is asking the House". . . to make an appropriation to supply a deficiency in the means which you had provided to enable him to discharge positive duties, enjoined upon him by your own laws."

Buchanan continues: "Here let me ask gentlemen, why they are so much alarmed at the fact that the appropriation has proved deficient? Deficiencies must and will occur so long as the men who wield the destinies of this Government are fallible." Does Congress expect Calhoun to be a seer? No. Would it be better to appropriate overwhelming sums and then allow the Secretary to take what he needs? No, this could lead to extensions of the service greater than the House deems necessary. Further, ". . .at the instant of time when the sum appropriated is expended in executing your laws, would you have the wheels of Government stop?" Would it be wise if the Secretary shut down his operations once appropriations were expended in the midst of foreign invasion? Of course not. Again, but this time using pathos of which Lowndes would certainly have disapproved:

Suppose the Secretary had thought proper materially to alter our policy toward the Indians, and the first information you heard of the change was, as it probably would have been, the howl of savage warfare around your borders, and the shrieks of helpless women and children under the scalping-knife? Could you then have justified his conduct?

Certainly not. Again, "what would you think of his justification, if he informed you, that he neglected to provide for the common defense, because the Army appropriation was too small to enable him

to embody the forces. Such conduct would be treason against the Republic."

At this point, Buchanan moves to historical and statistical data in preparation for his primary constitutional argument. Buchanan points out that the amount appropriated for the Indian Division, \$100,000, was less than half what was necessary to handle Indian affairs. The average expenditures for Indians business between the years 1813 and 1820 was \$252,750 (in round figures) and the Department spent \$464,000 (in round figures) in 1814. Since 1820, the Indian Division of the War Department has been greatly extended since new tribes unheard of before 1820 were now seeking assistance from the government as settlers pushed Westward into virgin territories. Now, with his historical and financial data established, Buchanan presents his strongest argument in support of paying for the 1821 deficiency. Buchanan argued that by providing less than half the funds necessary for operating that department, Congress could have relinquished its control over the purse strings of the executive by making it incumbent upon Secretary Calhoun to then decide which of the congressionally authorized obligations the War Department should honor:

Did Congress intend, by the mere act of appropriating \$100,000 for the current expenses of the last year, that the head of a Department should alter the laws of the land, and that he might at his will declare what part of the Indian system would be in force, and what part should be considered as repealed? Was it, for example, their determination that no treaties should be held with the Indians, however necessary they might have been, because the Secretary had thought proper to apply the whole of your appropriations to other objects? This never could have been their intention. Congress alone has the power of changing this system of policy.

If you allow an executive officer to decide which laws shall be honored and which not it would be like ". . .delegating legislative

power to the Head of a Department and would introduce the very evil against which gentlemen are so anxious to guard." The young congressman had in mind, of course, the evil of executive usurpation of the power reserved for the House of Representatives. This would not only be a threat to our liberties but would be unconstitutional. Only the Congress has the power to legislate. By failing to make up deficiencies in departmental spending, the Congress runs the risk of turning its legislative power over to the Executive branch. Buchanan was forever a constitutionalist and jealous of one branch or the other encroaching upon what he thought were clearly established areas of responsibility. Areas or borderlines established by the Constitution.

The speech continues in this vein. Constitutional, economic and moral arguments ensue. He concludes with a devastating argument which is an instance of hypothetical moral suasion:

One other view of the subject, Mr. Chairman, and I shall have done. In whatever light the conduct of the Secretary may appear, still the deficit ought to be supplied. This case does not require such an argument; but suppose, for a moment, he had acted improperly, is this one of those extreme cases--for I admit, that such may possibly exist--in which the House should withhold an appropriation to supply a deficiency? Will any gentleman say, that individuals who have fairly and honestly entered into contracts with your Secretary of War, on the faith of the Government, shall suffer? Surely you would not impose the task on every person who binds himself by agreement, to perform services for the Government, to inquire whether the appropriation made by Congress justified his employment. If you did, he then becomes responsible--for what, in the nature of things, cannot be within his knowledge. To enable him to ascertain whether he might safely contract with the head of one of your Executive Departments, he should be informed not only of the amount of appropriations, but in what manner their expenditure has proceeded, and is proceeding in every part of the Union. It would be crying injustice to inform the men who have abandoned civilized life, and undergone all the dangers, the hardships, and the privations of dwelling among savages in the wilderness, for the purpose of promoting

the interest and the glory of their country, that they shall receive no compensation for their services, because the Secretary who employed them has exceeded his appropriation. This would be making the innocent suffer instead of the guilty. If, therefore, there has been any impropriety in the conduct of the Secretary, as some gentlemen have insinuated, but which I utterly deny, it is a question which should be settled between you and him, and one in the decisions of which the rights of the persons employed under his authority ought not to be involved. Indeed, no gentleman has yet said these men ought not to be paid out of the public Treasury. Why, then, considering this question in every point of view which it can be presented, is there any objection against voting \$70,000 to supply the deficiency in the appropriation of the last year? I hope it will pass without further difficulty.

Thus Buchanan concludes his first major address in Congress, his maiden speech. It is Lowndesian rhetoric:

1. Buchanan begins the habit, given him by Lowndes, of entering debates at the rhetorical climax. From the last line of the speech, quoted above, it is obvious he feels he has struck the final blow--that the issue, in doubt when he arose, is now settled as he takes his seat. The excitement is over and the only remaining task for the members is to vote as Buchanan has demonstrated they should. The bill did pass, incidentally, by an overwhelming majority.²⁸
2. Buchanan will make the pivotal speech by presenting a sane, reasoned, highly logical case. He will bring order to a chaotic situation.
3. Buchanan plays fair. He states the strongest argument of the opposition in the strongest way, giving the implication that his side is in jeopardy and the opposition safe and secure.
4. Buchanan demonstrates that mastery of information, that memory of details that characterizes the speeches of Lowndes.
5. Buchanan depends upon ethical proof as did Lowndes. The only difference is that Lowndes already had a reputation for honesty and wisdom and Buchanan has to demonstrate it in this speech. His introduction is presumptuous but the overall effect is satisfying--by the end, the listener feels the confidence in the speaker that Buchanan prematurely asks for in the introduction.

In appraising the speech one would conclude that it was a

²⁸Klein, Buchanan, p. 41.

masterpiece of argumentation. There is only one flaw, in addition to the miscalculation in ethos, mentioned above. Buchanan argues that Calhoun was obligated to exceed the appropriation in order to meet the demands upon the Indian Division. Calhoun spent \$170,000 instead of the \$100,000 appropriated. One could conclude, however, that Calhoun must have cut back on the operations of the Indian office somewhat and at the expense in the quality of the overall Indian program. Buchanan shows that in 1821 the work of the Division of Indian affairs expanded its operations. Further, Buchanan stated that the average expenditures for this office ran close to \$250,000 annually. How could Calhoun operate on less than \$250,000 and still do justice to the job of handling Indian affairs, especially if those affairs were expanding? Buchanan sees this weakness in his case but his reply lacks conviction:

This sum is upwards of \$85,000 less than, upon an average, was appropriated to the same purpose, in each year, from 1815 to 1820, both inclusive. It was but a few thousand dollars more than was expended for the use of the same department for each of the last two years of Mr. Jefferson. In the meantime our relations with the Indians have greatly extended with our extending frontier, and we have become acquainted with tribes, of which before we had never even heard the names. This great curtailment of expenses places the character of the present Secretary, in this particular, upon an exalted eminence

The question remains, how could Calhoun have curtailed expenses and yet extended the size of his operations? No satisfactory answer is provided. Yet, this flaw does not weaken the case overall Buchanan has made for making up the deficiency by an additional appropriation.

We have seen Lowndes' rhetoric transfused into the rhetoric of Buchanan. The contention in this chapter is that Buchanan used the "Lowndes formula" throughout practically all the speeches he

delivered during the ten years he was in the House. He spoke in three ways during those ten years: (1) most of his speeches follow the "Lowndes formula" practically to the letter; (2) several speeches show minor departures from the formula for the purpose of adapting to new situations; (3) very few speeches but at least one are distinctly not of the Lowndesian variety.

Most of Buchanan's House speeches are distinctly of the Lowndesian style. He enters the fray late, reviews the case against him, citing the opponents' argument with fairness and force, refutes them with sound and usually superior arguments and then adopts a safe, middle of the road position of moderation between the conflicting factions. Speaking on the New Tariff Bill on February 7, 1823, about a year after his maiden speech, he follows the same formula.²⁹ After both sides have presented their arguments for and against the bill, Buchanan enters as a peacemaker. He takes the opponents' strongest argument and states it fairly: "Instead of attacking the provisions contained in the bill, he has, ingeniously, and with a force of argument which I have rarely heard equalled, assailed some of the principles by which it has been supported. . . . He has declared that it is an attempt by one portion of the Union, for its own particular advantage, to impose ruinous taxes upon another. He has represented it as an effort to compel the agriculturists of the South to pay tribute to the manufacturers of the North; he has proclaimed it to be a tyrannical measure."

But this argument misses the point, according to Buchanan.

²⁹Annals of Congress, 17 Congress, 2 Session (1822-1823), 893-905.

The bill is not designed to turn section against section but to raise revenues, he continues, which are necessary to avoid a budgetary deficit:

I confess I never did expect to hear inflammatory speeches of this kind within these walls, which ought to be sacred to union; I never did expect to hear the East counselling the South to resistance, that we might thus be deterred from prosecuting a measure of policy, urged upon us by the necessities of the country. If I know myself, I am a politician neither of the East, nor of the West, of the North, nor the South: I therefore shall forever avoid any expressions, the direct tendency of which must be to create sectional jealousies, sectional divisions, and at length disunion, the worst and last of all political calamities.

Buchanan takes the primary argument, then, and rules it out of bounds. In doing so, by the way, he previews a sentiment of unionism which will be his theme during the last months of his own administration. The central issue he says is not sectionalism but finding a means of raising revenues. The tariff is the best way. The second problem is to find a tariff compromise which is fair to all sectors, all classes, and all occupations. Further, "the end is the collection of revenue; in its attainment we have adopted a system of duties calculated to afford protection to our own manufacturers, not for the purpose of prohibiting the importation of foreign fabrics, but to bring our own into fair competition with them." Thus, tariffs are designed to collect revenues and encourage domestic industry, commerce and agriculture and not to hinder the importation of foreign goods, diminish foreign trade, or turn one class or occupation or section against another. Buchanan, following the "Lowndes formula," takes up the arguments of his opponents, which he fairly states. He refutes them calmly, competently, logically. He appears a master of the entire debate, brandishing

knowledge of the entire subject and demonstrating acquaintance with all points of view and all speeches for and against the measure. Lastly, he attempts to speak at what he considers the rhetorical climax. This speech, like so many others, is typical of Buchanan using the "Lowndes formula."

Several speeches show minor departures from the "Lowndes formula." Typical of these is Buchanan's April 11, 1826, speech on the Panama Mission.³⁰ Buchanan was opposed to the Panama Mission because he feared Adams and Clay, by sending emissaries to Panama, would be repudiating Washington's great admonition against alliances with foreign states:

We have ourselves grown great by standing alone, and pursuing an independent policy. This path has conducted us to national happiness and national glory. Let us never abandon it. It is time for us once more to go back to first principles, and declare to the world that the policy of Washington has not grown old. Union at home, and independence of all foreign nations, ought to be our political maxims. Let us do good to all nations, but form entangling alliances with none.

Buchanan departs from the formula somewhat in this speech. It is true he speaks at what he feels is the rhetorical climax, at a time when others have presented both sides to the question and once issues have crystallized. It is true also that he appears a master of all details, legal, pragmatic, historical. Further, he presents a well reasoned case as is customary for him. He departs, however, by taking on a partisan hue, even though he denies it: "If any gentleman upon this floor has intended to charge me with being engaged in a factious opposition to the measures of the present Administration, I now indignantly cast back the charge upon

³⁰Register of Debates, 19 Congress, 1 Session (1825-1826), II, 2168-2182.

him, and pronounce it to be unfounded." The very tone of the denial smacks of partisanship. Further, Buchanan strays from the "Lowndes formula" somewhat by not as objectively presenting the *opponents'* arguments as he usually does:

The gentleman from Massachusetts (Mr. Webster) has contended that, if they should prevail [certain amendments under consideration at that moment], they will violate the constitutional power of the Executive, and will virtually amount to instructions from this House to our Ministers.

Usually, Mr. Buchanan would have dignified Webster's argument by saying it was "eloquently and ingeniously put" or in some way give the impression that he has a deep respect for the cogency of the argument and the good sense of its advocate. In this instance, however, Buchanan claims to have little regard for the value of the argument: "I am at a loss to conceive how he will support this position." Again, "by what logic the gentleman from Massachusetts (Mr. Webster) will be able to prove that such a resolution will be an instruction from this House to our Minister, I am utterly unable to comprehend." He is even rougher on President Adams who authorized that the mission be sent to Panama. He is especially critical of Secretary of State Clay for having conveyed messages to the Mexican government from which they may infer, Buchanan maintains, that the United States stands ready militarily to defend that nation in the event of an attack by France, which seemed imminent at that moment. These instances of criticism of opponents fracture, if they don't shatter, the "fair play" image demanded by the "Lowndes formula." But the speech is typical of those that slightly depart from the formula but retain a preponderance of Lowndesian features.

It is interesting to note that the speech on the Panama

Mission, of all those Buchanan delivered in the House, is most amenable to the Ehninger test of validity.³¹ To be valid, an argumentative case must meet three tests: "(1) It must cause an opponent either to abandon his position or to alter it in some fundamental way. (2) It must cause him to do this out of necessity rather than choice. (3) It must make him fully aware of the adjustments that are required."³² It is easy to conclude that Webster felt morally obligated to abandon his contention, after Buchanan's speech, that one could not endorse both the amendments (which put restrictions on the emissaries) to the Panama Mission Bill and the appropriation for it:

The gentleman from Pennsylvania, with whom I have great pleasure in concurring on his part of the case, while I regret that I differ with him on others, has placed this question in a point of view which can not be improved. These officers do indeed already exist. They are public ministers. If they were to negotiate a treaty, and the Senate should ratify it, it would become a law of the land, whether we voted their salaries or not. This shows that the Constitution never contemplated that the House of Representatives should act a part in originating negotiations or concluding treaties.³³

Webster is forced to abandon his position because of the arguments presented in Buchanan's speech. According to Ehninger, this is the surest test of the validity of an argumentative case.

Finally, there is only one speech, known to the writer, delivered as a prepared address and excluding countless "remarks" made spontaneously in connection with dozens of debates, that

³¹Douglas Ehninger, "Validity as Moral Obligation," Southern Speech Journal, XXXIII (Spring, 1968), 215-222.

³²Ibid., p. 220.

³³Curtis, I, 65.

materially violates the "Lowndes formula." Reference here is to Buchanan's "Speech on Retrenchment," February 4, 1828.³⁴ Some less influential friends of Jackson in 1828, led by Mr. Chilton of Kentucky, "introduced in the House certain resolutions instructing the Committee of Ways and Means to report what offices could be abolished, what salaries reduced, and other modes of curtailing the expenses of the government."³⁵ Buchanan again hesitated. This time, however, not in search of the climactic point but in doubt as to whether to join the attack on Adams' administration. He was in a dilemma. If he supported "retrenchment," and these resolutions should pass, there would be less patronage for Jackson to dole out when elected. If he didn't, his constituents would never understand his conversion to Jacksonianism. He at last decided to speak, but not in the Lowndesian fashion. The speech lacks the Buchanan flavor. Instead of being reasoned, it is highly emotional. Instead of being fair, it is a vicious attack on the character of his target. Buchanan abandons legal terminology for a bombastic, florid and highly poetic style:

My colleague [Mr. Everett] has declared, that he would not have introduced such resolutions, because they might tend to injure the Government of the Country, in the estimation of the people. Against this position I take leave to enter my solemn protest. Is it the Republican doctrine? What, sir, are we to be told that we shall not inquire into the existence of abuses in this Government, because such an inquiry might tend to make the Government less popular? This is new doctrine to me--doctrine which I have never heard before upon this floor.

Liberty, sir, is a precious gift, which can never long be enjoyed by any People, without the most watchful jealousy. It is Hesperian

³⁴Register of Debates, 20 Congress, 1 Session (1827-1828), IV, 1360-1377.

³⁵Curtis, I, 70.

fruit, which the ever-wakeful jealousy of the People can alone preserve. The very possession of power has a strong--a natural tendency, to corrupt the heart. The lust of dominion grows with its possession; and the man who, in humble life, was pure, and innocent, and just, has often been transformed, by the long possession of power, into a monster. In the Sacred Book, which contains lessons in wisdom for the politician, as well as for the Christian, we find a happy illustration of the corrupting influence of power upon the human heart. When Hazael came to consult Elisha, whether his master, the King of Syria, would recover from a dangerous illness, the prophet, looking through a vista of futurity, saw the crimes of which the messenger who stood before him would be guilty, and he wept. Hazael asked, why weepeth my Lord? The prophet then recounted to him, the murders and the cruelties of which he should be guilty, towards the children of Israel. Hazael, in the spirit of virtuous indignation, replied--Is thy servant a dog that he should do this thing? "And Elisha answered, the Lord hath shewed me, that thou shalt be king over Syria." This man afterwards became king, by the murder of his master, and was guilty of enormities, the bare recital of which would make us shudder.

The nature of man is the same under Republics and under Monarchies. The history of the human race proves, that liberty can never long be preserved, without popular jealousy. It is the condition of its enjoyment. Our rulers must be narrowly watched. When my colleague advanced the position which he did, he could not have foreseen the consequences to which his doctrine would lead. I know that he never could have intended that it should reach thus far; but yet my inference is perfectly fair, when I declare it is a doctrine which only suits the calm of despotism. It is the maxim of despots, that the People should never inquire into the concerns of Government. Those who have enslaved mankind, from Caesar to Bonaparte, have always endeavored, by presenting them with amusements, and by every other means in their power, to attract the attention of the People from the conduct of their rulers. I therefore differ, toto caelo, from my colleague upon this point. If the resolutions of the gentleman from Kentucky, [Mr. Chilton] shall have the effect of more earnestly and more closely directing the attention of the People to the concerns of the Government, the result will be most fortunate. If the Government has been administered upon correct principles, an intelligent People will do justice to their rulers; if not, they will take care that every abuse shall be corrected.

After this preface to and justification of a personal attack on the administration and personal character of John Quincy Adams, Buchanan begins to indict the President for negligence, mismanagement, and corruption in government and in his private life. The tone of the

previous quotation is quite different from the maxim of trust in executive officials set forth in the War Department Deficiency Bill.

At one point Buchanan wishes for the tongue of invective:

I shall now, Mr. Speaker, enter upon a more particular reply to the arguments of the gentleman from Massachusetts. I wish I were able to follow the example of the gentleman from Virginia, [Mr. Randolph] and to take the general and comprehensive views of political subjects, which he recommended. As I cannot pursue that course, I must enter into detail, and make such a speech as he would attribute to a lawyer.

Unfortunately, Buchanan really doesn't try to speak like a lawyer but instead attempts to give a "Randolph speech."

Many of the complaints he levels against Everett and indirectly at President Adams are petty. Buchanan charged that Adams refused to return to the Treasury over payments made for diplomatic liveries and traveling expenses while the latter was United States Minister to St. Petersburg some fifteen years before. He launched a fair but devastating attack, however, on Clay and Adams for their parts in the "Corrupt Bargain:"

If the individual to whom I have alluded, could elect a President, and receive from him the office of Secretary of State, from the purest motives, other men may, and hereafter will, pursue the same policy, from the most corrupt. "If they do these things in the green tree, what shall be done in the dry?" This precedent will become a cover, under which future bargains and corrupt combinations will be sanctioned; under which the spirit of the Constitution will be sacrificed to its letter.

Then Buchanan moves to petty things:

I now come to the part of the argument of the gentleman from Massachusetts, [Mr. Everett] which relates to the billiard table. I should not have said one word upon this subject, did I not differ entirely in relation to it, from the gentlemen from Virginia and South Carolina [Mr. Randolph and Mr. Hamilton]. I admit that the expenditure of fifty dollars is a very little matter, and this has ever been the opinion of my friend from North Carolina, [Mr. Carson] who has been so often introduced into the debate. If there be any gentleman in the

House, who regards fifty dollars less than he does, I do not know the man. The question worthy of our consideration, is not whether the price of the billiard table was paid out of the Public Treasury, or out of the private purse of the President; but whether a billiard table ought to be set up, as an article of furniture in the House of the President of the United States? I am free to say, I think it ought not. In the State of Virginia, billiard tables are prohibited even in the mansions of private gentlemen, under very severe penalties. The gentlemen from Virginia, therefore, cannot now indulge in this game at home: for I know him too well to believe that he would violate the laws of his own State. This shows the moral sense of the People of that ancient and respectable Commonwealth, in relation to the game of billiards. To use a familiar expression of their own, they do not go against either the exercise or the amusement of the play; but they know the temptation which it presents to gambling, and the consequent ruin which must follow in its train. It has a direct tendency to corrupt the morals of our youth. Indeed, I doubt whether there be a single State in the Union which has not prohibited the game of billiards. The People of the United States are generally a moral and religious People; a proper regard, therefore, for public opinion, for the scruples of the pious, ought to have prevented the first Magistrate of the Union from setting such an example. [Here Mr. Randolph observed, there was no law in the District of Columbia, against playing billiards.] Mr. Buchanan then said, the President of the United States is not only the President of the District of Columbia, but of the whole American People; and they condemn this and every other species of gambling. Ought, then, the man who has been elevated to the most exalted station upon earth, whose example must have a most powerful and extensive influence upon the morals of the youth of our country, to set up a billiard table, as an article of furniture, in the House which belongs to the American People? He certainly ought not to keep such an article of furniture in that house, nor ought he to play at the game. I should never have invaded his domestic retirement, for the purpose of discovering whether he kept a billiard table or not. I should never have been the first to bring this matter, either before the House, or the country. It has been brought here by others, and I felt it to be my duty to express my opinion upon the subject.

It has been said that Washington played at billiards. Be it so. I will, however, venture the assertion, that he never set up a billiard table in the house which he occupied, at the Seat of the Government, whilst he was President of the United States.

Descending from the man who occupies the most exalted station in the country, nay, in the world, to the Judges of your Courts of Justice, I would as, whether public opinion, in any portion of this Union, would tolerate, that such a magistrate might establish a billiard table in his house, or even play publicly at the game?

And so on. Buchanan seems utterly unaware of the pettiness of this subject and unaware, perhaps, that he was making a very humorous spectacle of himself by giving so much attention to such an insignificant misgiving. Will his constituency be satisfied that Buchanan has found good reason to turn on Adams and change parties? He seems to be reaching for damaging evidence and is forced to scrape the bottom of the barrel.

It is true this speech has the format of a Lowndesian speech-- Buchanan arranges his speech according to a series of arguments set forth by his opponent (Mr. Everett from Massachusetts) and follows each with a refutation of it. But Buchanan has lost all sense of propriety and common sense in this speech. He has abandoned the reasoned discourse, in which he is safe, even formidable, and taken up ridicule, at which he is ridiculously inept.

In conclusion, Buchanan followed the "Lowndes formula" most of the time. On occasion he left out some features of it and one occasion abandoned practically the entire scheme.

Conclusion

Buchanan made excellent use of the "Lowndes formula." For the most part, he followed the system during his ten years in the House. In one respect, he out-did even Lowndes. Reference is made to argumentation. Lowndes himself was no slouch as an analyzer of arguments but he was not the expert Buchanan was. Buchanan could so analyze an opponent's case that every weakness in it became patently clear. He managed to see weaknesses that seldom occurred to his fellow debaters. As an advocate, he knew how to marshall evidence

and draw conclusions as well or better than anyone in the House. No one, not even Webster, was a match for him in cool logic and common sense reasoning. Argumentation was the foundation of the Lowndes scheme and Buchanan was better at it than the inventor.

The keystone to the "Lowndes formula" was Lowndes' ethos. Buchanan, of course, could not duplicate Lowndes' character but he recognized the importance of ethos to the success of the formula. Therefore, he attempts to establish himself as a dependable, wise, and fairminded person. Almost every introduction contains some sort of plea for a fair hearing. He states, most always, his unwillingness to offend anyone and he claims to be nonpartisan. He is generous, usually, in his praise of friends and members who stand opposite him on most questions. He was presumptuous in some respects by asking that members regard him as a sage. This was unfortunate early in his career in the House because he was unknown. It is doubtful he ever achieved the status of a sage in House debate but it is likely that his more than common amount of fairness, his extensive knowledge of each question, and his sharp legal mind came to win high respect for him as a debator before he left the House. In short, he adapted to the "Lowndes formula" well and rose to a position of eminence as a formidable debator.

On occasion, the Pennsylvania Congressman departed somewhat from the strict "Lowndes formula." These departures were necessary in order to meet unexpected situations. In every instance studied, in which partial abandonment occurred, Buchanan felt it necessary to take off the mask of impartiality and non-partisanship. He yielded fairness in favor of the cudgel although retaining enough of the old

strategy to warrant the Lowndesian label. There seems to be a correlation between Buchanan's use of the cudgel and the growth of party spirit in the House. In 1821, and during the early years of the "Era of Good Feeling," Buchanan found the nonpartisan Lowndes' strategy quite useful. After 1824, in the aftermath of Jackson's thwarted presidential campaign and the "corrupt bargain" episode, and as the great debates over tariff and internal improvements produced ideological and political division among the congressmen, James Buchanan used the "Lowndes formula" more flexibly in order to meet each new political crisis. On one occasion he went so far as to abandon entirely the Lowndes style. This instance involved Buchanan's slashing speech on retrenchment which was a vehicle for the purpose of attacking the character and political image of John Quincy Adams and of definitely notifying his constituents of his change in party labels from Federalist to Democrat. Buchanan made a ridiculous John Randolph. His harangue is petty, pitifully inept, and even humorous. It is interesting that Buchanan never again, while in the House at least, left the safe Lowndesian method. He must have felt perfectly out of his element in the role of agitator. Invective was not his weapon and the conclusion here is that the speech made Buchanan feel worse than Adams.

Once again, Buchanan was formidable in prepared debate using the "Lowndes formula" strictly. He successfully adapted to growing partisanship in House debate by a more flexible use of the formula. There is a historical correlation between the use of the pure "Lowndes formula" and quiet political waters on the one hand and the growth of party spirit (toward the middle and latter half of the decade of the 1820's) accompanied by a greater relaxation of the demands of the

formula on the other. Further, Buchanan was at his worst when he failed to rely on his customary strategy embodied in the "Lowndes formula." While he was not necessarily an amiable person in all instances, he found it strange to speak vindictively.

The major advantage of the "Lowndes formula" for Buchanan was that he found it suitable to his training and way of thinking. Further it suited his needs upon first entering the House. Over ten years of heavy debating, Buchanan proved himself to be dependable, safe and sensible, holder of moderate views, and defender of the Constitution. He earned the respect of his fellow members and laid the ground work for his future presidential aspirations.

Furthermore, since Buchanan was, by training and inclination suited to the Lowndes' method, it seems clear to the writer that the rhetorical blend fashioned by Buchanan was wise. It was wise because it suited his needs and abilities, revealing some degree of rhetorical insight. However, since he found it necessary to fuse the rhetorical thought of another to his own, we must rate the Pennsylvanian limited in rhetorical inventiveness and foresight in his own right.

There is one major criticism to be made of Buchanan's use of the "Lowndes formula." Even though Buchanan used the formula less rigidly all along, especially after 1825, he never outgrew the system. At first, he was unsure of himself and of his ideas. It was necessary for him to delay his involvement in debates until he had learned the lay of the land, had become acquainted with issues and had time to research the topic. But, even after his ideas evolved into a political creed, he continued to delay his entrance into a debate hoping to time his speeches so as to swing the doubtful contest in his

direction. Buchanan limited himself considerably by always hesitating. He never had the opportunity to introduce legislation of his own. He never pounced upon a subject first to give it a Buchanan shape. Buchanan was unable, because of his adopted rhetorical device, to give birth to his own ideas. He was always a rhetorical parasite feasting on the ideas of others. Never did he innovate themes or programs. Never did he show legislative originality. Never did he demonstrate a creative spirit. A keen mind he had. Sharp wits he could spare. Industry he exuded. Knowledge he had in overabundance. But all of these talents are left only partially developed. Buchanan fails to live up to his rhetorical potential because he has chosen a safe system, a system which precludes dash, genius, and creativity. Perhaps there was no genius or brilliancy in Buchanan's mind but it is certain that if there were, he used the wrong rhetorical method for releasing it. We see for the first but not the last time the lack of rhetorical flexibility in Buchanan. Rhetorical rigidity becomes more apparent in Chapters IV and V.

CHAPTER IV

A JACKSONIAN "ADVOCATE" AMIDST SENATE PARTY BATTLES

The years 1831 to 1834 were full of significant events in the life of James Buchanan. He closed out his tenth year as a member of the House of Representatives in the Spring of 1831 and in late Summer announced his acceptance of the Russian Mission appointment. His journey to St. Petersburg was delayed by the slow return from that city of John Randolph, his predecessor in the new post. He finally departed New York for Europe in March of 1832, reaching his destination not long after the ice break up of the same year. During his two year stay at the Russian capital he arduously sought to complete a treaty of commerce between the United States and Russia, something previous American ministers had worked at unsuccessfully for years. It took most of the two years to get the Russians to agree to the treaty. Buchanan gleefully sailed for the United States with both the treaty and the admiration of Czar Nicholas I.

When he returned to these shores, after a business and pleasure tour of the Continent, Buchanan found himself in the midst of politics again. It took nearly a year to repair his local political machine which had broken down during his prolonged absence. President Jackson was in his debt because of his satisfactory service abroad. There was talk of a cabinet post but Buchanan settled for the Senate. He was elected December 6, 1834, by the Pennsylvania Legislature to fill out the unexpired term of William Wilkins who was

leaving the Senate to accept the diplomatic post at St. Petersburg just vacated by Buchanan. Thus came to an end a three year period of furious activity which saw Buchanan begin and end in Washington.

He might have taken time to reflect upon his accomplishments as of that moment in 1834 when he was officially advised of his election to the Senate. At the age of forty-three he had achieved far more than most men and less than a mere handful. He had been college educated, admitted to the bar, accorded fame as a trial lawyer, elected to state and then national lower legislative houses, appointed to a diplomatic post and finally placed in the United States Senate. He had accumulated wealth, acquired knowledge of economic matters as well as of the affairs of the world, had learned the French language and the language of diplomacy which served him well in Europe and at home. He had demonstrated financial wisdom, political savy, rhetorical skill and national loyalty. From St. Petersburg, Buchanan wrote to Mrs. Jane Slaymaker:

. . .I am very much occupied. A tyro in diplomacy, I am compelled to encounter the most adroit and skillful politicians in the world, with no other weapons except a little practical common sense, knowledge & downright honesty.¹

Buchanan was being modest. What he meant was that he had the native ability and the cultivated polish sufficient to carry him a long way in this world, perhaps to the top:

The emperors and empresses, the dukes and counts, the chancellors and ministers who wore medals and ribbons seemed to him not much better informed than he was. For the first time in his life he began to think seriously about the presidency. Why not? He could do it.²

¹Buchanan to Mrs. Jane Slaymaker, October 31, 1832, Moore, II, 267.

²Klein, Buchanan, p. 96.

The contention here is that he began to wonder about his ability to be president even as a young congressman in 1821. Klein states Buchanan was convinced by 1833 both that he could and wanted to become president.

As Buchanan reflected upon his prospects of becoming president, he had to take stock of historical and political reality. On the national scene, he saw great hope for the Democratic party even though the Whigs held a majority in the Senate when Buchanan first arrived there. Jackson, a popular public hero, had built a powerful and enduring political party he thought. The Whigs, as Buchanan saw it, had been unable to unify the opposition except upon the flimsy theme of hatred for Jackson the man. The Democratic party would outlive Jackson and once the old warrior disappeared from the scene, ". . . the Whig party would disintegrate, and the Democrats were bound to win unless they foolishly permitted themselves to fall apart. If they could bury some of their local grudges and work together, their party was certain to control for years to come."³

Buchanan hoped to share that control and would do so, if possible, from the highest office. This meant being a Jacksonian Democrat and it meant, among other things, supporting Jackson unswervingly in the Senate. This Buchanan did for the remainder of Jackson's second term. He continued his rhetorical loyalty to Jackson and the party by supporting Van Buren during his term and finished out his senatorial career giving floor support to Tyler. He resigned his Senate seat in 1845 to become Secretary of State in James K. Polk's

³Ibid., pp. 103-104.

Administration. Thus, he served the Democratic cause and Jacksonian principles throughout most of his career in both houses of Congress.

Of all the domestic and foreign issues confronted by Jackson, none was more significant than his war against the Second Bank of the United States:

It was the bank issue, more than anything else, that consolidated the new political parties of the period. It was that issue that proved most conclusively the hold of Jackson upon public opinion. And it was the destruction of the Bank that capped the mid-century reaction against the rampant nationalism of the decade succeeding the War of 1812. The Bank itself had been well managed, sound, and of great service to the country. But it had also showed strong monopolistic tendencies, and as a powerful capitalistic organization it ran counter to the principles and prejudices which formed the very warp and woof of Jacksonian democracy.⁴

It wasn't easy for Buchanan to accept the shibboleth demanded by Jackson: total opposition to the bank.

Pennsylvania, though one of Jackson's Easternmost popular strongholds, was racked with conflict over the bank question. Many Democrats were strong supporters of Nicholas Biddle and the Bank. Many were recipients of direct benefits from the Bank itself or businesses associated with it. There had always been a deep cleavage between Philadelphia Democrats, led by George M. Dallas, and other wings of the party, led alternately by Buchanan, George Wolf, Henry A. Muhlenberg and Simon Cameron, among others. Buchanan was constantly waging two political battles. He fought to stay in good with Jackson and other national party leaders and he was forever attempting to quell some revolt within the Democratic ranks on the home front. Very often, Pennsylvanians were at odds with the President's

⁴Frederic Austin Ogg, The Reign of Andrew Jackson (New Haven, Conn., 1919), p. 199.

Administration although never with "Old Andy" himself:

Buchanan considered himself lucky to have been out of Congress during 1832 and 1833. The violent controversies over nullification and the Bank had battered the fortunes of many legislators, especially those from Pennsylvania. The folks back home, with careless illogic, wanted the Bank rechartered, and their hero, Old Andy, re-elected--an easy combination for a backwoods farmer to vote for but a devilish hard program for a Congressman to live with at Washington. The Bank vote was a test, there; any friend of the Bank was an enemy of Jackson.⁵

Buchanan at first planned to placate both Jackson and his political followers in Pennsylvania. Before returning from Russia he wrote to Jackson that while "inclined to be friendly to the re-charter of the Bank of the United States," he would not vote for a Bank bill unless it remedied the objections raised in the President's veto message.⁶ He was not in the United States long before realizing he could not go part way with Jackson if he hoped to acquire power at the national level within the Democratic party:

He had to give up all hopes for salvage of the Bank, and fight its recharter to the death. Pennsylvanians would not like this, but they could risk the demise of the Bank better than the hatred of Old Andy.⁷

Hatred by Jackson meant no patronage and political leaders in Buchanan's home state were not willing to risk loss of jobs for the Bank.

It appears then that Buchanan had decided that the best method of achieving power and influence in his party at the national level was to support Andrew Jackson's every move. He was going to be one of Jackson's men in the Senate, along with Thomas Hart Benton

⁵Klein, Buchanan, p. 97.

⁶Curtis, I, 152.

⁷Klein, Buchanan, p. 103.

of Missouri, Silas Wright of New York, William R. King of Alabama, Felix Grundy of Tennessee, John Tyler of Virginia, and Samuel McKean of Pennsylvania. John C. Calhoun was in the Senate as a Democrat too but he could hardly be counted among the Jackson lieutenants.

Buchanan gave floor support to Andrew Jackson at every turn. But it was in domestic areas related to the Bank struggle that this loyalty can be seen as having its greatest usefulness to the President. The Bank was the crucial issue and Buchanan was in the thick of the fight from 1835 to 1840 when the Sub-Treasury Bill was adopted under Van Buren. Useful service was rendered at other times and on other issues but no issue was as momentous as the fight to the death between Jackson and the Second United States Bank. For this reason, this chapter will be concerned only with Buchanan's "advocacy" in behalf of Jackson on three occasions of Bank related debates. These three occasions saw Buchanan making the following speeches: (1) Buchanan speaking on the Removal of Executive Officers, February 17, 1835 (Issue: Removal of executive officers by Jackson, namely his dismissal of McLane and Duane as Secretaries of the Treasury for refusing to remove government deposits from the Bank of the United States); (2) Buchanan speaking on the Expunging Resolution, January 16, 1837 (Issue: Benton's proposal to expunge from the Senate Journal the resolution to censure President Jackson in 1834); and (3) Buchanan speaking on Making Public Officers Depositories, September 29, 1837 (Issue: The financial crisis of 1837 following the expiration of the charter of the Bank). The first speech will be evaluated in detail in this chapter but the other two occasions presented equal

opportunities for Buchanan to demonstrate his rhetorical skill. The speech on the Removal of Executive Officers has been chosen for special study because it is most typical of the "advocative" technique of Buchanan the Senator.

Before defining Buchanan the "advocate" in the Senate, mention should be made of the vestiges of Lowndesian elements in his senatorial speaking. Most of the same characteristics of Buchanan's "Lowndes formula" House speaking can be found in his senatorial debating. He still postponed his major speaking effort in any given debate until he felt the rhetorical climax had been reached. He continued to state the case of the opposition fairly: "Buchanan, in formal debate, always presented as strongly as he could the case of the opposition, and then proceeded to demolish it systematically by his own arguments."⁸ He always spoke with a full command of information about the case. He continued to make ethos the keystone of his rhetoric--he was fair to opponents, vigilant in search of truth, possessing abundant knowledge of the case. All these factors, he hoped, convinced his fellow Senators of his good intentions and impeccable character. Lastly, Buchanan continued to display the Lowndesian trademark of logical argument, "appealing to men's judgment rather than their passions."⁹ If any change from Buchanan's House speaking occurs in his Senate debating, it is that this last characteristic becomes even more prominent. No Senate speech or occasional remark fails to impress the reader with its logical

⁸Ibid., p. 133.

⁹See Chapter III, p. 66.

foundations and framework. This is not entirely true of the House speeches, at least one of which departed greatly from the reasoned approach.¹⁰

In the Senate, Buchanan spoke as a courtroom advocate, with logic and reasoning his tools in trade. His senatorial speaking contained the following characteristics of the courtroom advocate: (1) analysis of the case in search of issues; (2) marshalling legal, historical, authoritative and common sense arguments in support of a particular position on the issues; (3) close adaptation to the speeches of opponents; (4) speaking only within the case framework already defined by legislative proposals, amendments and speeches of others. This "advocate" character of Buchanan's speaking distinguished him from the rhetorical activists such as Benton and Clay. Each of these speakers was a man who used legislative speaking as a means of achieving, or attempting to achieve, an impact on the events of history. Clay, with his American System, was an innovator of schemes which would alter the nature and destiny of American civilization. Benton was full of programs for public land disposal, new highways and other practical plans. He had a vision of a nation, stretching from coast to coast, thriving on trade, economic growth, equally distributed prosperity, and equality of opportunity. He attempted to use public address, although recognizing its limitations as a social force, to implement this grand scheme:

Benton formulated, systematized, expounded, and justified the

¹⁰Ibid., pp. 29-34.

intuitions of the President. Functions of leadership that Franklin D. Roosevelt united in himself during the New Deal were severed during the Jacksonian revolt.¹¹

Buchanan, however, did not provide leadership. He offered his services as an advocate of proposals made by Benton and others in behalf of Jackson. Buchanan was a part of the Jacksonian team, along with Benton, Silas Wright, and others. But Buchanan's role was not one of leadership. He was not the one who learned to translate the unspoken "intuitions" of the great leader, the symbol of democracy and the common man, into practical legislative schemes. He could give support to practical programs once they were devised by others. Perhaps it is for this reason, his inability or unwillingness to overtly innovate constructive plans, that he can be most clearly studied through his speeches on the Bank question and its related issues after 1834. Jackson had killed the Bank with his veto of the bill to recharter it in 1832. The last constructive effort to give it new life ended as Jackson removed the deposits of Federal funds from the Bank. Issues which arose after 1833, in connection with the Bank, had to do with defending Jackson's actions, not initiating programs. It is true that Buchanan's speech of September 29, 1837, on Making Public Officers Depositories was in support of a new financial measure very much connected to the Bank question. And it may be true that the results of the Public Depositories idea was a new institution called the Sub-Treasury system which Klein believes Buchanan created and implemented by means of a letter to President Van Buren:

¹¹Norman W. Mattis, "Thomas Hart Benton," History and Criticism of American Public Address, Marie Hochmuth Nichols, ed., 3 vols. (New York, 1955), II, p. 94

The latter [Van Buren] had asked for suggestions to be included in the presidential message to the forthcoming special session of Congress and Buchanan, anticipating that he would be a leading spokesman for the president, proposed that Congress should establish a new bank or, as that name had come into disrepute, "an Agency" connected with the Treasury and the Mint to collect and disburse public money.¹²

Nonetheless, Buchanan did not initiate this idea in the course of Senate debate which is the focus in this chapter. Furthermore, Buchanan's recommendation to Van Buren was no doubt a composite plan made up of ideas he had garnered from his correspondence and conversations with financial experts in Philadelphia and in reality was not a plan original with him. In any event, the Sub-Treasury idea was one held by many people at this time and is not to be attributed to Buchanan alone.¹³

Generally then, Buchanan was not an innovator but instead a "facilitator" of proposals made by others. Of course, as established earlier in this chapter, he was always facilitating in behalf of Jackson.

Thus far the writer has maintained that in Senate debates Buchanan was largely following the "Lowndes formula," was speaking as an "advocate," in that he approached issues as court cases upon which he performed the lawyer's analysis, spoke in terms of Constitutional law and legal and historical precedent, and that he was a facilitating advocate, that is, functioning as a supporter rather than as an initiator of new legislative solutions to problems

¹²Klein, Buchanan, p. 120. See Buchanan to Martin Van Buren, June 5, 1837, Moore, III, 252-254.

¹³Bray Hammond, Banks and Politics in America (Princeton, N. J., 1957), pp. 353-354.

confronting the nation during the Jacksonian period. Lastly, it is maintained that Buchanan the facilitating "advocate" can be seen most clearly in the series of speeches he made on Bank related issues. With these factors understood, let us proceed to an evaluation of Buchanan in his role of advocate in the Senate.

Jackson's battle with the Bank set the stage for most of the party struggles during his time, as mentioned above.¹⁴ His veto of a rechartering bill in 1832 became a major campaign issue against the Whig nominee, Henry Clay, in the presidential election of that year. But Jackson's dismissal of secretaries of the Treasury before finding one who would remove government deposits from the Second United States Bank was the step which, most of all, ignited the fire of party feuding which lasted the remainder of the second term. It was largely because of such rash actions (both the dismissal of officers and the removal of deposits) that Jackson's Whig opponents counterattacked with their famous censure resolution of 1834. The censuring of Jackson, which occurred before Buchanan was elected to the Senate, and the resolution to "expunge" the censure were subjects fiercely debated by administration supporters and anti-Jackson Whigs. Buchanan played a significant role in the latter debate.

Prior to the debate on expunging the censure, "there was no ground on which the Whigs attacked the administration of General Jackson with greater severity than that which related to removal of executive officers."¹⁵ Jackson had been smitten by the censure and sent a strong protest to the Senate in 1834.

¹⁴See pp. 98-99 above.

¹⁵Curtis, I, 281.

Jackson sternly lectured the Senate throughout the protest message. He, in effect, attempted to upbraid the opposition for their alleged ignorance of the Constitution which, he maintained, prohibited one branch of the federal government from interfering with the operations of another but for certain specified exceptions such as impeachment of the president by the Senate on charges brought by the House of Representatives. The Senate's censure was not impeachment and was therefore illegal. But Jackson went further and, among other assertions, claimed by constitutional authority the right of removal. He reasoned thusly:

By the Constitution "the executive power is vested in a President of the United States." Among the duties imposed upon him, and which he is sworn to perform, is that of "taking care that the laws be faithfully executed." Being thus made responsible for the entire action of the executive department, it was but reasonable that the power of appointing, overseeing, and controlling those who execute the laws--a power in its nature executive--should remain in his hands.

Further:

The executive power vested in the Senate is neither that of "nominating" nor "appointing." It is merely a check upon the Executive power of appointment. If individuals are proposed for appointment by the President by them deemed incompetent or unworthy, they may withhold their consent and the appointment can not be made. They check the action of the Executive, but can not in relation to those very subjects act themselves nor direct him.

Therefore:

The whole executive power being vested in the President, who is responsible for its exercise, it is a necessary consequence that he should have a right to employ agents of his own choice to aid him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts. In strict accordance with this principle, the power of removal, which, like that of appointment, is an original executive power, is left unchecked by the Constitution in relation to all executive officers, for whose conduct the President is responsible, while it is taken from him in relation

to judicial officers, for whose acts he is not responsible.¹⁶ Jackson's claim of executive powers was clearly and forcefully set forth in his lengthy protest. He concluded with the "request that this message and protest may be entered at length on the journals of the Senate."¹⁷

Not only was the request denied but the message was regarded as imperious and offensive by the Whig opposition. Almost immediately Calhoun urged the Committee on Executive Patronage to report a bill he had earlier proposed:

At one o'clock, on motion of Mr. Calhoun, the Senate proceeded to the consideration of the bill reported by him from the select committee on executive patronage, to repeal the first and second sections of an act to limit the terms of service of certain civil officers, approved the 15th of May, 1820.¹⁸

This bill, with an amendment attached to it, would require the President, upon dismissing an executive officer, to submit, along with the name of the nominee to fill the vacancy, a statement of the particular reasons for the dismissal. Presumably, the Senate could reject the president's reasons for removal and thereby force the reinstatement of the unwanted officer. The bill was debated for five days before Buchanan spoke on the question, following his usual custom of hesitating until he felt the issues were clearly defined. At that point he hoped to have maximum influence and perhaps sway the Senate his way. When he finally spoke, he spoke as the courtroom advocate, presenting a thoroughly logical rationale for rejecting the proposal.

¹⁶James Daniel Richardson, compiler, Messages and Papers of Presidents, 10 vols. (New York, 1917), III, pp. 1298-1299.

¹⁷Ibid., p. 1312.

¹⁸Register of Debates, 23 Congress, 2 Session (February 13, 1835) p. 418.

Buchanan began his speech with an explanation of why he rose to address the members of the Senate.¹⁹ He explained that he was reluctant to speak on this bill and had intended to let it pass satisfying himself with a simple negative vote. But, since no one on the Administration's side had clearly and fully discussed the constitutional question he felt obligated to the people of Pennsylvania to express his opinion on the subject. Buchanan was quite correct. No one, on the Democratic side, had argued the constitutionality either of removal or of the bill to prohibit executive removal. Benton and Silas Wright apparently realized the futility of defeating the bill--the Whigs, with their heavy majority, were certain to pass it. They contented themselves with weak defenses of Jackson's character. Buchanan alone made a determined effort to stem the tide and even he spoke "with extreme diffidence."²⁰

Beginning positively, Buchanan maintained that the question over the right of the President to remove executive officers had been established on constitutional grounds for fifty years:

Has the President, under the Constitution, the power of removing executive officers? If any question can ever be put at rest in this country, this, emphatically, ought to be considered that one.

Buchanan argued first that this question had been decided by the "fathers of the Republic" during a period of no factionism. Should men of his day, when "party spirit is raging throughout the land. . . . rejudge the judgment of those men and reverse their solemn decision?" Certainly not. Not only would it be unwise to reconsider a matter settled for fifty years but a reversed decision would not be taken

¹⁹Ibid., pp. 495-503. Also, see Curtis, I, 281-291.

²⁰Ibid., p. 503.

seriously by the people who can compare the calmness, "the self-possession--the freedom from political excitement of the sages who established the precedent, with party violence and the high political feeling of the Senate at the present day. . . ."

Following the admonition against making new decisions during periods of party strife, Buchanan artfully brought to bear the full weight of historical and personal authority. He reviewed the first debate ever held on the question of executive removal which passed the House 30-18 in June of 1789. The bill, a revised version of the bill establishing the Department of Foreign Affairs, provided "a clear, strong, distinct, recognition by the House of Representatives of the President's power of removal, not by virtue of law, but under the Constitution." What is more, the principle was approved by the Senate, by General Washington and his successors down through John Quincy Adams. All these presidents removed whomever they pleased. Buchanan's contrast of historical precedent with the violation of that precedent by the bill then before the Senate was clear and compelling:

But after the accession of Jackson, the existence of this power is denied. We are now required to believe that all which former Presidents have done was wrong;--that the first Congress were entirely mistaken in their construction of the Constitution;--and that the President does not possess the power of removal except with the concurrence of the Senate.

Buchanan had concluded his first argument and perhaps it was his strongest. It was based upon authority but energized with common sense leading to the conclusion that the constitutionality was not questioned until party spirit convulsed Congress. Buchanan sounded quite federalistic and quite Washingtonian at this point. His argument

seemed to derive added significance by this similarity since no doubt all present saw the parallel between Buchanan's case and Washington's admonition about the evils of party spirit as set forth in his Farewell Address.

Quickly, Buchanan shifted to a new strategy. From argument in defense of his position, he suddenly attacked the opposition by imposing upon them the burden of proof:

What then have we a right to expect on our side of the House from the opposition? Not merely that they shall prove it to be a doubtful question, but they shall present a case so clear as to render it manifest that all which has been done has been without authority, and all the removals which have ever been made, have been in violation of the Constitution. The burden rests entirely upon the gentlemen, and a ponderous load they have to sustain.

Not only has Buchanan rightfully pointed to those responsible for the burden of proof, but he has added stones to that burden. He is asking, by implication, when he should have been more direct, that the opposition prove General Washington wrong. This might have made their task impossible since it is likely the people would not tolerate abusive attacks on the greatest figure in our history. Buchanan's biggest rhetorical shortcoming so far seemed to be timing. Had Buchanan thrust the burden of proof upon the opposition five days earlier, when the debate first began, he might have had a strategic advantage. Whig speakers could not have ignored his attacks on them without materially damaging their position. Had they accepted the challenge, it is likely they would have had a difficult time shouldering the burden, so effectively had Buchanan charged them with it. Buchanan was robbed of this advantage because of his reluctance to speak in a losing cause and because of his strategy of hesitation.

From this high point in the speech, he began to review the constitutional question in terms of his interpretation of the document to give legal justification for rejecting the bill then before the Senate:

But sir, if the question were entirely new, if it never had been decided by precedent or by practice, I think it may be made abundantly clear, that the strength of the argument is greatly on the side of those who maintain the power.

That is, the legal case is clear, without the aid of history.

There was nothing startlingly new about Buchanan's constitutional exegesis. Actually, it was almost the same as Jackson provided in his message of protest in 1834. Buchanan began with an analysis of the broad and declared powers of the separate branches, reviewed the exceptions to these divisions such as the powers of impeachment and veto. He narrowed his discussion to matters of executive appointment. The Constitution was not explicit on removals, he maintained, because of the maxim of common law, expressio unius est exclusio alterius--"it follows conclusively that what has not been given is withheld, and remains in that branch of the Government which is the appropriate depository of executive power. The exception proves the rule." At this point he continued the line of argument regarding implicit powers by refuting a point made earlier by Webster:

And the grant of executive power to the Senate is confined to appointments to office, and to them alone. This necessarily excludes other executive powers. It cannot, therefore, be contended with any force, as the gentleman from Massachusetts, Mr. Webster, has contended, that because the consent of the Senate is made necessary by the Constitution to appointments of officers,--that, therefore, by implication, it is necessary for their removal.

That power rested solely in the executive.

From here Buchanan proceeded with his "correct construction"

of the Constitution which gives the power of removal to the president and to him alone. The chief point made on this score, in addition to the common law maxim just cited, was the contention that the power must exist somewhere and that it could not exist anywhere but in the executive:

Where else can it exist but in the executive, on whom the Constitution imposes the obligation of taking care that the laws shall be faithfully executed? . . . How could the President execute the trust confided to him, if he were destitute of this authority? If he possessed it not, he would be compelled to witness the executive officers violating the laws of Congress without the power of preventing it.

This argument served as a transition to the last major point the Senator from Pennsylvania was to make in this speech. He believed that taking away the power of removal would have dangerous consequences.

Even if there can be found no satisfactory specifications in the Constitution to support conclusions Buchanan had reached, he felt the Senate should reject the bill because its passage could have harmful effects:

The framers of the Constitution never intended it to mean what would defeat the very purposes which it was intended to accomplish. I think I can prove that to deprive the President of the power of removal would be fatal to the best interests of the country.

First, the Senate cannot always be in session to give consent to removals. Great harm might occur because an undesirable but influential executive officer could not be removed by the president while the Senate is not in session. Here, Buchanan could have shown potential dangers far more vividly. The listener did not hear one of those hypothetical illustrations of which he was capable and which would clearly show potential danger. Buchanan failed to provide an illustration at this point.

Second, and far more compelling, should the President call a special session to consider the removal of a minister who betrays his trust and endangers the whole country? Travel being what it was then, the thought of sudden and unexpected special sessions must have been particularly disagreeable to those present. For a moment, Buchanan shed the cloak of the non-partisan advocate and lapsed briefly into an uncharacteristic rancorous tone:

Could the framers of the Constitution ever have intended such an absurdity?

Such a shift to sarcasm and away from cool logic for a time at least must have destroyed his ethos of fairness and detachment. Besides, a more inventive speaker could have found a better way of showing the absurdity than by calling it such.

Moving on with the list of dangers and inexpedient consequences of forcing the President to give up his power of removal, Buchanan used the example of a disbursing officer who wastes money during a congressional recess. Must the President wait until the Senate reconvenes in order to get its approval to put an end to this abuse? On this example, an opponent might have shown other recourses available to the President as means of stopping injurious and wasteful disbursements.. Buchanan seemed unaware of this weakness and instead thrust forward with other possible and evil consequences of striking out the executive's removal power.

All difficulties were not removed even if the Senate were continuously in session. As the government grows, there would be a greater incidence of removals which could become so numerous as to tie up the Senate with an overload of cases to review. This argument

seems preposterous and quite unlikely. Buchanan offered no evidence to support his conclusion that the Senate would have to investigate the charges against an increasing number of removed officials with the result that "time must be consumed to the prejudice of our other duties." How many officers have been removed in the past? How many more could one expect in the future based on past experience and rate of governmental growth? This information, though readily available, was not submitted. Standing alone, without support, Buchanan for once presented an illogical argument.

There were more dangers, some as strong as those mentioned.

Buchanan at this point offered a summary:

I think I have successfully established the position that no two things can in their nature be more distinct than the power of appointment and that of removal.

The summary was transitional leading to an attack on Webster's argument which Buchanan paraphrased:

It [Webster's argument] rested entirely upon the principle, that these two powers were so identical in their nature, that because the Senate, under the Constitution, have the express power of advising and consenting to the appointments, that, therefore, by implication, they must possess the power of advising and consenting to removals, the inference is without foundation.

From this final refutation of the only member of the opposition who dwelt on the legal aspects of the case, Buchanan concluded his constitutional argument giving support to the principle of executive removal. Finally, he dealt with that part of the bill which would allow the Senate to review executive removals.

The bill, as amended, would require the president to give reasons for the removal of officers along with his list of nominations to fill the vacancies. Again, Buchanan deferred to the Constitution.

to provide the answer. Since the Constitution had conferred the power of removal on the president, the Senate had no right to require his reasons:

Whence do we derive our authority to demand his reasons? If the Constitution has conferred upon him the power of removal, as I think I have clearly shown, is it not absolute in its nature and entirely free from the control of Congress? Is he not as independent in the exercise of this power as Congress in the exercise of any power conferred upon them by the Constitution? Would he not have the same authority to demand from us our reasons for rejecting a nomination, as we possess to call upon him for his reasons for making a removal? Might he not say, I am answerable to the American people, and to them alone, for the exercise of this power, in the same manner that the Senate is for the exercise of any power conferred upon them by the Constitution?

Finally:

What right have we to demand reasons from the servant of another as to how he performs his duties? To his own master, which, in this particular, is the American people, and to them alone, he is responsible. If Congress can command him to give reasons to the Senate for his removals, the Senate may judge of the validity of these reasons, and condemn them if they think proper. The executive of the country is thus rendered subordinate to the Senate;--a position in which the Constitution of the country never intended to place him. In my opinion, this bill as strongly negatives the constitutional power of the President to remove from office, without the concurrence of the Senate, as if it were so declared in express language. For this reason I shall vote against it.

So, Buchanan, the courtroom advocate, ended a speech typical of those he delivered in the Senate. It was Lowndesian. It was clearly organized, scrupulously unimpassioned, rooted in constitutional and historical argument.

One would ask, how well did Buchanan speak as a Jacksonian advocate? Some evaluative comments have been made above. Overall, the writer regards the speech as an excellent specimen of reasoning in debate. The arguments are largely powerful and convincing to the objective reader of a century and a quarter later. The speech is distinguished by clarity, careful constitutional and historical analysis,

and artful descriptions of the dangers sure to follow the adoption of Calhoun's resolution. Here and there one complains of a point under-emphasized, an illustration underdeveloped, or of somewhat inefficient timing and placement of arguments. Overall, however, it is a powerful argumentative package. But when one tries to resurrect the political dynamics of the period of the 1830's significant doubts crop up as to how well Buchanan spoke to his own times.

The keynote of this chapter has been the party battles of the decade of the 1830's. The chief battle was over the United States Bank. The Bank issue and the struggle over it are symbolic of the politics of Jackson's administration. Buchanan, in the speech studied above, recognized the unusual partisan tone which pervaded the Senate. No effort shall be made here to survey the events, personalities and political currents of the period in detail. They have been ably recorded and interpreted elsewhere.²¹ The people's revolution which Jackson spearheaded was over such matters as extension of voting privileges, the right to choose Presidents by the people at political conventions, the question of internal improvements, tariff laws, states rights, class division, government vs. business, the role of the federal government, the power of the presidency, and many more.²²

These economic and political events were reflected in passionate congressional debates:

²¹The writer has depended upon the following works primarily for an analysis of Jackson's era: Claude G. Bowers, The Party Battles of the Jackson Period (Boston, 1922); Arthur M. Schlesinger, Jr., The Age of Jackson (Boston, 1945); Glyndon G. Van Deusen, The Jacksonian Era (New York, 1959).

²²Bowers, Party Battles, pp. v. - vii.

With the appearance of Democracy in action came some evils that have persisted through the succeeding years--the penalties of the rule of the people. Demagogy then reared its head and licked its tongue. Class consciousness and hatreds were awakened. And, on the part of the great corporations, intimidation, coercion, and the corrupt use of money to control elections were contributed. These evils are a heritage of the Jacksonian period--battles as brilliant as they were bitter.²³

A similar observation was made by Van Deusen:

Bitter political conflict characterized Jackson's . . . term [s] in office. The ambitions of rival political leaders furnished part of the motivation for this struggle. In part, also, that motivation derived from the economic aspirations of men and sections---the Western farmer's desire for cheap land, the New England industrialist's demand for a protective tariff, the Southern planter's interest in seeing the tariff kept low, the need of the West and North for internal improvements, the need of the speculator and debtor everywhere for cheap money. Partly, too, the political movements of these years reflected the devotion of the American people to democracy, and to equality of opportunity. Politicians and statesmen -- Webster, Clay, Calhoun, Jackson, Van Buren, and their ilk---continually weighed and analyzed these currents of popular feeling and the economic and social conditions that gave them rise as they planned their party programs.²⁴

The Bank was both at the center and symbolic of these conflicts. In addition to these emotion producing circumstances, there were passionate men involved. Jackson himself was far from the picture of calm. He hated the Bank. He could not abide Clay and grew to despise Calhoun. His enemies were equally emotional, especially when it came to Jackson and his hatred for the Bank, their symbol of conservatism:

The President's opponents were out to embarrass the administration in every possible way, as was soon to be shown by their assaults upon the Cabinet and upon Old Hickory himself. The opposition knew what it wanted, but its great handicap was a

²³Ibid., p. vi.

²⁴Van Deusen, Jacksonian Era, p. 47.

lack of discipline. It held together only through its detestation of the Old Hero.²⁵

Buchanan was aware of what it was that united the Whigs.²⁶

The purpose behind this general description of the historical and personal background of the period is to allow the reader to superimpose the debate over executive removal, and in particular Buchanan's part in it, upon the record of the times. When he does this he will understand why Klein remarked that while the decade Buchanan served in the Senate brought him into contact with "a galaxy of American politicians," he "always stood on the periphery" of this stellar group.²⁷

From the speech just studied and the history just summarized, one can conclude that there are reasons, largely rhetorical, why Buchanan was on the periphery. It has been maintained in this chapter that Buchanan spoke as a courtroom lawyer in the Senate and the speech on Executive Removal is a splendid example of his rhetoric of legal advocacy. Considered apart from the times and the audience, it is an excellent example of argumentative discourse. Further, one can easily see that Buchanan was a loyal Jacksonian, a part of the Administration's Senate team, faithfully defending the President.²⁸ The

²⁵Ibid., p. 87.

²⁶See p. 98 above.

²⁷Klein, Buchanan, p. 142.

²⁸It is interesting to note that the speeches studied in this chapter plus the many other speeches Buchanan made in the Senate facilitating Jackson's programs, were speeches which support a widened and liberalized conception of the role and power of the presidency. Jackson exercised the full power of the office and even extended the powers of the presidency. Buchanan gave aid and comfort to this trend;

great difficulty is that the constitutional ramifications of Jackson's anti-Bank tactics were less legal than political. The chief bone of contention was the personality and political power of Jackson the man and not whether a "tyrant" can destroy a Bank and the businesses and industries dependent upon it, not whether he could legally remove a cabinet member. Therefore, the attacks on Jackson, the censure resolution and the bills designed to inhibit his power, were based on economic and political motivation and not constitutional considerations. Of course, these economic and political motivations were transformed into jealousy and hate.

The most grievous shortcomings of Buchanan's Senate speaking are poor audience and issue analysis. He began by saying no one had presented the legal side of the case so he, reluctantly, would. No one had dealt with the legal question because, although important, legalities were on the periphery of the case. Buchanan seemed unaware or unable to adapt his remarks to the real struggle hidden beneath the surface resolution regarding dismissal of executive officials. This critic is not prepared to rewrite Buchanan's speech for him. But if he were, he would make some attempt to bridge the ideological gap between Democrat and Whig, try to find common elements within the two opposed political creeds. He would, further, make every effort to convince the Whigs that they cannot accomplish their economic and political goals by attacking the President. Every effort would be made to bring the two parties together ideologically.

however, when he became president, he allowed the purview of the office to shrink or at least he did not take full advantage of the scope given to the office by Jackson.

Further, the writer would attempt to make-up for Buchanan's inability to understand or lack of appreciation for the emotional motivation of the Whig leaders. Rhetorical efforts would be made to neutralize the anger and hate which seem to be as much the cause of the constant anti-Jackson bills as the economic and political differences. This is where Buchanan failed. He advocated proper constitutional interpretation but no one listened. The minds and hearts of Americans in and out of the Senate were on other things.

Buchanan was single minded and possessed little rhetorical versatility. He could not free himself from his customary Lowndesian rhetoric and adapt to the issues of passion vs. passion, i.e. the issues below the surface. The Lowndesian method is quite adequate for analyzing a case involving obvious motivations which are apparent and on the surface. But when the issue on the surface is merely a screen for a deeper and hidden clash, Buchanan, even with the help of the "Lowndes formula," was at a loss.

Buchanan seemed to live in a well ordered intellectual world all alone while the universe of party strife during the Jacksonian era went by him unnoticed. He was aware of the other world but unable or unwilling to become a citizen of it. He rendered valuable service from time to time, however, but it was always when issues were his kind of issues. Buchanan found his best opportunity of facilitation in support of Benton's resolution to expunge the censure against Jackson.²⁹

²⁹Thomas Hart Benton, Thirty Years View (New York, 1854), I, 728.

Buchanan delivered a strong legal justification for the expunging resolution. Here he adapted closely to the "arguments" of Henry Clay:

As Clay sat down, James Buchanan rose to reply, admitting that it was the part of prudence to remain silent after the Whig orator had "enchanted the attention of his audience." Fluent, logical, if not eloquent, he followed Clay's speech point by point, rehashing with him the Bank controversy--leading up to the removal of deposits and the vote of censure--defending Jackson at every step. If Jackson's act was one of tyranny, unconstitutional, aimed at civil liberty, why, he demanded, "had the Whigs merely censured him without giving him the opportunity to reply? Why had they not done their duty and instituted impeachment proceedings? True, they insisted that they had not imputed any criminal motive to the President---"³⁰

He could be of service whenever the debate called for his special rhetorical talents as this one did. This debate was rooted in party passion too but the status issue was a more obvious and concrete dispute--the legal question of censure.

But one talent Buchanan lacked--versatility. Lack of versatility and inability to employ rhetoric suited to the party passion of the time caused James Buchanan to be rhetorically on the periphery of most of the great debates of the 1830's. His was a mono-rhetoric, a rhetoric of advocacy alone. His was not a multi-rhetoric, adaptable to changing issues and adversaries.

³⁰ Bowers, Party Battles, p. 468.

CHAPTER V

BETWEEN JAMES POLK AND JOHN BULL, A VOICE OF COMPROMISE

The struggle between Andrew Jackson and the Second Bank of the United States was emphasized in Chapter IV. Particular attention was paid to Buchanan's speaking in support of the Democratic administration on questions related to the central issue of Jackson's two terms. Buchanan, however, did not limit himself to the one domestic issue. The Bank question was crucial and central but the Pennsylvania Senator addressed himself to many other matters of interest on the homefront during his eleven years in the Senate. In the year 1836 alone, Buchanan delivered two major speeches and made "remarks" on thirty-three occasions, mostly on domestic questions. Buchanan delivered a long speech in support of the admission of Michigan into the Union. On February 12, 1836, he made remarks favorable to "the sacred rights of petition" by abolitionists. He did not favor the radical abolitionists, but he believed all groups had the right to petition Congress: "No government possessing any of the elements of liberty has ever existed, or can ever exist, unless its citizens or subjects enjoy this right."¹

Foreign affairs were of interest to Buchanan also. He spoke out against the Panama Mission in 1826, only one of his forays into

¹Buchanan on several occasions had voiced his opinions regarding slavery. He was unalterably opposed to the institution in the abstract but at the same moment he found constitutional justification for its existence in the Southern states: "If any one principle of constitutional law can, at this day, be considered as settled,

the world of external relations while in the House. On the Senate floor, he made a major effort to support Jackson's tough policy regarding payment of claims owed Americans by French citizens. Speaking in 1836 for Benton's resolution to build coastal defense installations, Buchanan said "If war should come, which God forbid; if France should still persist in her effort to degrade the American people in the person of their Chief Magistrate, we may appeal to heaven for the justice of our cause, and look forward with confidence to victory from that being in whose hands is the destiny of nations."² He took an equally aggressive, though less bellicose, stand on the Texas Question in 1845. As chairman of the Senate Committee on Foreign Relations, Buchanan delivered his last speech in Congress on February 27, 1845, giving stirring support to the annexation of Texas. It is interesting to note that Buchanan felt that the annexation of Texas might solve the slavery problem:

I am not friendly to slavery in the abstract, and I look to Texas as the probable means of relieving the Union from slavery at some distant day. The counsels of the Almighty are never rash. A thousand years are to him but one day. The past, the present, and the future are all before him. He operates great changes in the world by gradual means. May not the admission of Texas gradually draw our slaves from the centre to the southern extremity of our Union, and eventually may they not pass the

it is, that Congress have no right, no power, over the question of slavery within those states where it exists. . . . The Constitution has, in the clearest terms, recognized the right of property in slaves. It prohibits any State into which a slave may have fled from passing any law to discharge him from slavery, and declares that he shall be delivered up by the authorities of such State to his master. Nay, more, it makes the existence of slavery the foundation of political power, by giving to those states within which it exists representatives in Congress, not only in proportion to the whole number of free persons, but also in proportion to three-fifths of the number of slaves." Curtis, I, 316-317.

²Moore, II, 466-515.

Del Notre and be incorporated with a race where the distinctions of color are unknown, and where they may enjoy their freedom without the taint of degradation which they must ever experience among the Anglo-American race?³

Certainly, Buchanan revealed both an interest in and a readiness to debate foreign issues brought before Congress. In addition, he filled various executive positions in the State Department during his years of public service. The most important position Buchanan held in the State Department was, of course, Secretary of State. But his diplomatic roles before and after afforded him varied and valuable experience.

Previous references have been made to Buchanan's stay in St. Petersburg as the American Minister to Russia, 1831-1833. In 1853, President Franklin Pierce appointed Buchanan Minister to Great Britain. He served in that post until 1856. In England, Buchanan had two years of frustrating experience as a diplomat. He served two superiors, President Pierce and Secretary of State Marcy, who were often at odds with each other. Buchanan represented the United States at the Court of St. James during troubled times. Britain was fighting in the Crimean War. After victory had been won over the Russians, Britain turned the threat of her military might under Lord Palmerston against the United States. The issue regarded territorial ambitions in the Antilles. The Ostend Manifesto, of which Buchanan was co-author, suggested a purchase or seize policy of the United States toward Cuba. England feared for her interests in the Caribbean. Nothing came of the crisis but relations between the two countries deteriorated during Buchanan's term as Minister to England, 1854-1856.

³Ibid., VI, 109-110.

Spaced between the Senate terms and the diplomatic post in England, Buchanan served as Secretary of State in the administration of Democrat James K. Polk.

Polk was chief of the "New Democracy" which came to power in 1845:

The head of the New Democracy was James Knox Polk. Somewhat below middle size, but erect in carriage and dignified in manner, Polk was an industrious politician, tough, determined, and full of drive. Neither warm nor outgoing by nature, lacking the easy camaraderie of Clay, he had trained himself to be affable, to remember names and faces, to use wit and sarcasm and grimaces in a way that delighted the audiences on the Tennessee hustings. His large steel-gray eyes and compressed lips contributed to that air of power held in restraint which was one of his most impressive characteristics. Secretive by disposition and often slow in decision, when he was seized by a conviction he would cling to it with ferocious tenacity. A doctrinaire believer in political democracy and in the principles of Thomas Jefferson, he had been a loyal supporter of King Andrew, but he was now king in his own right and determined to hew his own way. That way was not always along the path marked out by the Old Hero. Polk was a Jacksonian with a difference. There would be times when the voice would indeed be Jacob's voice, but the hands would be those of Esau.⁴

Polk's new party was Jacksonian because it was anti-bank, anti-Whig, and strongly Unionist. Further, Polk and his administration were opposed to the American System, the exponents of which Polk declared, "were dazzled by the authority and glitter of European Aristocracies." The Whigs supported a national bank, high protection, internal improvements, and "distribution of the proceeds of public land sales." Polk's government was against large federal expenditures which he feared might create a "consolidated empire" making the rich richer and the poor poorer.⁵

⁴Van Deusen, The Jacksonian Era, pp. 192-193.

⁵Ibid., p. 197.

But the New Democracy "was a Jacksonianism in which the sense of values had shifted."⁶ The fascination for hard money, so much of an important feature of the Jackson and Van Buren administrations, had disappeared. Expansionism, not unknown to earlier Democrats, became "predominant in the thinking of the New Jacksonians."⁷ Thus, domestic policies were leaning more toward Southern sentiments. Lower tariffs were welcomed, internal improvements and disposal of free public lands spurned. Both were demanded by the Northern and Western sections: "The West could be temporarily appeased for the failure to satisfy these aspirations by administration support for the acquisition of California and Oregon, especially since California was also a lodestar for southern eyes, but the immutable fact remained that the Democratic party organization was beginning to pass under the rod of southern influence."⁸

If expansionism meant Southern sympathy, the charge is true. Polk's four years in office were noted above all for territorial acquisitions. The country was prepared for it. Tyler, with the aid of his Secretary of State Calhoun, had completed a treaty with Texas in April of 1844 paving the way for its annexation. Polk, in his inaugural address, had made clear several points. He was opposed to both abolition and disunion, he favored low revenue rather than high protective tariffs, he disliked the national bank and internal improvements entailing national debts, and he endorsed the annexation

⁶Ibid.

⁷Ibid., p. 199.

⁸Ibid.

of Texas. Further, he asserted that the American right to the Oregon country was "clear and unquestionable," a quotation taken from the 1844 Democratic party platform.⁹ The acquisition of Texas and California and the settlement of the Oregon boundary dispute were to be overriding objectives of Polk's presidency.¹⁰ As Secretary of State Buchanan would naturally play a significant role in the attainment of President Polk's territorial goals.

Polk's election was a surprise. Before he won the Democratic party presidential nomination at Baltimore in May of 1844, the first successful dark horse in American politics, he was not considered a likely candidate. He had the support of Andrew Jackson, however, and when the convention became deadlocked on the seventh ballot after failing to nominate Tyler, Buchanan, or Van Buren, the delegates from Pennsylvania and Massachusetts set about achieving nomination for Polk. On the eighth ballot, Polk received forty-four votes. Meanwhile, Van Buren withdrew his name freeing the New York delegation to vote for Polk: "The convention, in riotous confusion, then gave its unanimous approval to James K. Polk as the presidential nominee."¹¹ Polk defeated Clay, the Whig candidate and principal opponent in the race, in the presidential election. The issues in the campaign were over tariff and the annexation of Texas. Buchanan, who vigorously supported Polk in Pennsylvania, found Polk's tacit support of free trade a difficult concept to push in his state

⁹Richardson, Messages and Papers of the Presidents, IV, 654-662.

¹⁰Schouler, History of the United States, IV, 498.

¹¹Klein, Buchanan, p. 160.

where businessmen and factory owners felt they needed protection. Buchanan spoke all over the state, drawing large and excited crowds, and emphasized Polk's anti-bank position, soft peddling the low tariff plank: "The Bank was a red herring to distract the attention of these people from the tariff, which posed the most serious threat to the party."¹² Buchanan's tireless efforts paid off: It was a close election; but the Democrats had squeaked through, and Buchanan deserved credit for right guessing and canny manipulation in achieving the result."¹³ Polk rewarded Buchanan by offering him the office of Secretary of State.

The President-elect's invitation was at that time unique in American history.¹⁴ On February 17, 1845, Polk addressed a form letter to Buchanan, essentially the same letter he wrote to all those to whom he requested cabinet service. In order to prevent department heads from using federal patronage to further their own political ambitions, he wrote: "Should any member of my Cabinet become a candidate for the Presidency or Vice Presidency of the United States, it will be expected . . . that he will retire from the Cabinet I will myself take no part between gentlemen of the Democratic party who may become aspirants or candidates to succeed me in the Presidential office, and desire that no member of my Cabinet shall do so."¹⁵

¹²Ibid., p. 162.

¹³Ibid.

¹⁴Ibid., p. 164.

¹⁵Polk to Buchanan, February 17, 1845, Moore, VI, 110.

Buchanan very diplomatically answered Polk's invitation the following day. He very gladly approved the terms of the appointment, but he slyly added: "I cannot proclaim to the world that in no contingency shall I be a candidate for the Presidency in 1848 If however, unexpectedly to myself, the people should, by a State or National convention, present me as their candidate, I cannot declare in advance that I would not accede to their wishes; but in that event I would retire from your Cabinet unless you should desire me to remain If under these explanations, you are willing to confer upon me the office of Secretary of State, I shall accept it."¹⁶ For the time being, at least, Polk was satisfied. Later he may have lived to regret it, feeling Buchanan actually was attempting to use the patronage of office to secure his own election in 1848.¹⁷

Buchanan's rhetorical endeavors in the Oregon negotiations have been singled out for study in this chapter. Certainly, his work regarding the retention of Texas and California was also important. The Oregon question has been chosen for special study because it is more amenable to analysis than the other expansion projects during Polk's term. First, it was a subject which received the most intense concern of the President during the first half of his term: "The President . . . remarked that he had reflected

¹⁶Buchanan to Polk, February 18, 1845, Moore, VI, 111-112.

¹⁷Polk confided to his diary that Buchanan was abusing the trust he had placed in him. On the 28th of January 1846, the President wrote that "The whole difficulty has been produced by Mr. Buchanan himself, because he cannot control my appointments. He accepted his place in my Cabinet under the written pledge as did all the members of my Cabinet, that during his continuance in it he would not become a candidate for the Presidency, and yet it is manifest

much on this subject; that it had occupied his thoughts more than any and all others during his administration" ¹⁸ Buchanan was of course equally involved in the Oregon question. Second, the Oregon matter presented the most explosive problem during Polk's term because there was inherent dangers not present in other issues. War with Mexico erupted over the Texas problem but Mexico could not pose a military threat equal to Great Britain. War with Britain seemed imminent from the moment of the inauguration until the Oregon Treaty was approved by the United States Senate and proclaimed by the President June 15, 1846. It was the danger of the situation and not the value of the Oregon territory which made these negotiations momentous. Relations with Great Britain during this period were at their lowest ebb since the War of 1812. ¹⁹ For these reasons, and since Buchanan's diplomacy over the Oregon question is representative of his work throughout the entire period, only the Oregon negotiations will be studied.

Negotiations between the United States and Great Britain over settlement of the Northern boundary of the Oregon country had been taking place intermittently for more than a quarter of a century

that he desired to control my patronage with that view." Polk, James K., The Diary of James K. Polk, M. M. Quaife, ed., 4 vols. (Chicago, 1910), I, 200-201.

¹⁸ Polk, Diary, I, 4; R. L. Schuyler, "Polk and the Oregon Compromise of 1846," Political Science Quarterly, XXVI(1911), 446, states that "It is not strange that Oregon, threatening as it did war with England loomed even larger on Polk's political horizon than Texas, threatening war with Mexico."

¹⁹ F. H. Soward, "President Polk and the Canadian Frontier," Canadian Historical Association Annual Report, (1930), p. 71.

before Polk's inauguration in 1845. The diplomatic contest during this period saw representatives of both countries claiming legal right to the whole of the disputed land. Amidst conflicting claims, however, there eventually grew an apparent willingness on both sides to accept a fair division of the territory at or around the 49 parallel. Such a settlement would have split the region virtually in half.

The salient diplomatic events leading to the propitious moment of Polk's becoming President may be recounted briefly.²⁰ The first event, a step which would at last complicate matters, occurred in 1818 when agreement was reached for the joint occupation of Oregon. In 1827 it was agreed that either party could terminate joint occupation by giving notice one year in advance. The United States gave strong indication of eagerness to settle the dispute. Every American President from Monroe to Tyler proposed settlement at the 49 parallel: "Such a project was pending when Polk came to office . . ."²¹ Great Britain rejected all American 49° proposals for sundry reasons.

First, the 49° line would exclude British ships from the Columbia River, long believed to be the only navigable water route from the Canadian West to the sea. This belief persisted long after the river was found unfit for seagoing vessels due to falls, shallow stretches, rapid waters, and an imposing sand bar at the river's mouth.²²

²⁰ Joseph Schafer, "The British Attitude Toward the Oregon Question, 1815-1846," American Historical Review, XVI (1911), 273-299, concludes that both sides were near agreement in 1845.

²¹ Klein, Buchanan, p. 178.

²² Eugene D. de Mofras, Travels on the Pacific Coast, ed. and

The Hudson Bay Company, conducting a fur trading business along the Columbia, finally gave up on the river and removed its operating base to Vancouver Island. Second, despite the spirit of Manifest Destiny and Westward migration by 1845, there were few Americans in Oregon, and all but eight were settled South of the Columbia River.²³ Great Britain, therefore, refuted the United States' claims to all the Oregon by right of occupation. Third, and strongest motive for British unwillingness to concede the area North of the 42 parallel, the British enjoyed a trading monopoly in the area. Thus, the Hudson Bay Company presented an influential obstacle to settlement of the boundary disagreement. This obstacle vanished when the Company quietly relinquished trading interests in lower Oregon by retreating to Vancouver Island.²⁴

The quiet retreat of the Hudson Bay Company from the Columbia basin removed two of Britain's motives for holding on to lower Oregon. The third motive, few American settlers above the Willamette, no longer seemed important after Lord Aberdeen, who was Sir Robert Peel's secretary for foreign affairs, had been led to believe that not only was the Columbia largely unnavigable but that Oregon above

trans. Marguerite Eyer Wilbur (Santa Ana, California, 1937) II, 56 called the sand bar a "hideous spectacle with the foam cloaking the horizon far out at sea as if to form an insurmountable barrier to ships entering or leaving the river." The disturbance was created by sand washed down the river but hurled back by the heavy surf.

²³Frederick Merk, "The Oregon Pioneers and the Boundary," American Historical Review, XXIX (1924), 683, maintains that only eight Americans lived in the disputed territory while 5,000 Americans lived in the Willamette Valley south of the Columbia River.

²⁴Ibid., pp. 696-697; Norman A. Graebner, Empire on the Pacific (New York, 1955), p. 139.

the Columbia was pine swamp, mountainous, and unsuitable for agriculture.²⁵ He was therefore, ready to accept the repeated American offer of setting the boundary at the 49 parallel, stopping at the Pacific Ocean and not cutting into Vancouver Island.²⁶

The key historical considerations are that at about the time of Polk's election but prior to his inauguration both sides were near agreement on a boundary settlement at or close to the 49 parallel. American presidents before Polk had repeatedly offered such a compromise and it seemed, if Everett's observations were correct, the British were at last ready to accept it. At this propitious moment hope suddenly vanished and an international crisis ensued. Polk delivered an aggressive and expansionistic inaugural address which was both unexpected by the British and poorly timed with respect to the friendly feelings on both sides about the Oregon question. Actually, "the inaugural was typical of the Jacksonian period, a republican manifesto intended for the edification of the sovereign people of the United States,"²⁷ Polk asserted that the American title to the whole of the Oregon country is "clear and unquestionable."

²⁵Merk, "British Government Propaganda and the Oregon Treaty," American Historical Review, XL (October, 1934), 39.

²⁶Schafer, "British Attitude," pp. 294-295, records that "Edward Everett, who was our Minister at London when Peel's administration began . . . expressed in a series of dispatches during that time his conviction that the British government was disposed to a friendly settlement of the Oregon question on reasonable terms;" Klein, Buchanan, p. 178, remarks that Aberdeen instructed Packenham, British minister to Washington, in March of 1844, to try for a Columbia River settlement but if that failed to "draw from the American Negotiators a proposal to make the 49th degree of latitude the boundary." Packenham was also to seek British ports South of 49° and free navigation of the Columbia.

²⁷Merk, "British Government Propaganda," p. 38.

The declaration was regarded by the American people as mere political propaganda but it was not calmly received in Great Britain where presidential inaugurals were taken as official state papers.²⁸ In view of recent American offers of settlement along the 49 parallel and in the light of American admission of British rights by the 1818 and 1827 joint occupation agreements, Polk's assertions seemed extremely aggressive. Polk also spoke in his inaugural of inviting Texas into the Union. To the British, Oregon and Mexico seemed parallel: "In Old England as in New England the occupation, revolt, and annexation of Texas seemed a slaveholder's conspiracy against the Mexican Republic and its methods were those which the inaugural seemed to project against territory claimed by Britain. In the British press the address was everywhere regarded as a challenge, and was everywhere responded to with denunciation and defiance."²⁹ Soon after Polk's inaugural had been greeted with a wave of resentment in the British press, Aberdeen felt obligated to respond to Polk's "bluster." He told a cheering House of Lords that "We too, my Lords, have rights which are clear and unquestionable, and those rights, with the blessings of God and your support, we are fully prepared to maintain."³⁰ It seemed to Secretary of State James Buchanan that John Bull and James Polk were squaring off for a fight. He was not alone in his fears for talk of an Anglo-American war over Oregon was heard on both sides of the Atlantic.³¹

²⁸Ibid.

²⁹Ibid., pp. 38-39.

³⁰Hansard, Parliamentary Debates, LXXIX, Columns, 115-123.

³¹Wilbur D. James, and J. C. Vinson, "British Preparedness and the Oregon Settlement," Pacific Historical Review, XXII (November, 1953), 355.

Before analyzing Buchanan's Oregon diplomacy, it will be necessary to trace the historical events leading to the Oregon Treaty of June 15, 1846.

Polk surprised the British on July 12, 1845, by offering to settle the boundary at the 49 parallel exactly as his predecessors since Monroe had done. Just as surprising, was the rejection of the offer by Richard Packenham who did not even bother to refer the American proposal (contained in an official letter written by Buchanan) to London. Packenham had been instructed to accept an offer very similar to the one the United States made. He infuriated American leaders by concluding his rejection note with the remark that he hoped the United States would "be prepared to offer some further proposal . . . more consistent with fairness and equity, and with the reasonable expectations of the British government." This was regarded as unjust rudeness in Washington. Polk instructed Buchanan immediately to withdraw the American proposal and to submit to Packenham a strong argument for the American title to the whole of Oregon.

The crisis grew as Polk asked Congress to give notice of intentions to end the joint occupation of Oregon. This step naturally followed Buchanan's argument in behalf of American claims to all of Oregon. Polk was the intransigent figure in the stalemate which followed. The British and Buchanan tried desperately to break through the impasses but Polk remained adamant. The British tried arbitration but this suggestion was immediately dismissed by the President of the United States. Polk's will was finally broken by fear of war. Britain replied to his bluster with an increase in naval and ordnance

armament. Polk agreed to allow a British compromise proposal to be submitted to the Senate for previous advice. Buchanan knew the Senate as then constituted would advise acceptance of the British offer but the matter had to be concluded quickly lest new elections alter the disposition of Congress. Packenham's proposal of June 6, 1846, was accepted word for word by Polk who sent it to the Senate June 12. The Oregon Treaty was signed June 15, 1846. The final agreement set the boundary at the 49 parallel from the Rocky Mountains to the Straits of Fuca separating Oregon from Vancouver Island. The line followed the mid-channel of the Straits Southward to the Pacific Ocean. The British were to be permitted free navigation of the Columbia for six years. Thus ended the Oregon crisis in a settlement both parties had virtually agreed to just prior to Polk's inauguration. Let us study Buchanan's rhetorical efforts to appease both John Bull and James Polk during these eighteen months.

Buchanan was motivated by several ambitions regarding the Oregon crisis: (1) he hoped to exert his influence toward achieving an Oregon settlement; (2) he hoped to achieve this goal by mollifying the President and the leaders of Great Britain; and (3) he hoped to realize political capital from his diplomatic works. He quickly determined a policy and a course of action. Action would involve two rhetorical channels. There would be an official and unofficial channel. Officially, Buchanan would write diplomatic despatches and engage in formal diplomatic meetings. Unofficially, he would use his powers of personal persuasion in letters and conversations. His official correspondence, of course, was in most occasions subject to the approval and often at the direction of President Polk.

In such instances, Buchanan merely carried out orders. One may still ask, however, "How well did he express the convictions of the President?" Even though Buchanan was under obligation to represent Polk in many communiques, he often wrote against his own better judgment. The Secretary of State had strong independent views on the Oregon question and he asserted these views in his own way unless overruled by the President.

Polk's Diary, which he kept from the 26th day of August 1845, until the last day of his presidency, is a document which reveals the President's views on people and the events of the day. There are long summaries on cabinet meetings, many of which reveal clashes between the writer and his department heads. The reader feels as though he is eavesdropping on sessions of a high council and is thereby privy to things never disclosed to the public. Polk reveals much of Buchanan in his diary. Because of "the continual influence of Polk's own personal attitude and the temperamental tendency to sharp, unsympathetic criticism,"³³ the accuracy of the portrayal is questionable. It is likely, scholars feel, that Polk clearly recorded cabinet discussion on important issues such as the Oregon question fairly. On these pages Polk faithfully traces the views of cabinet members, whether they agreed or not. It is certain, from the President's Diary entries, that Polk and Buchanan were in almost constant disagreement.³⁴

³³McLaughlin, Andrew C., "Introduction," The Diary of James K. Polk, I, xviii.

³⁴See note fifteen above which reveals some of the distrust Polk felt for Buchanan. Most of their quarrels resulted over patronage but in the Diary Polk also speaks of heated arguments over policy matters. For evidence of disagreement over the Oregon question see Polk, Diary, I, 1-4.

During the early cabinet meetings, Buchanan had a chance to size up both the traits of the president and the aspect of his own job. Buchanan felt himself superior to Polk in understanding of international affairs, but he soon learned that Polk outranked him and intended to use his authority. The two continually disagreed on matters of policy, of timing, of procedure, and of emphasis. Polk sensed condescension in Buchanan which toughened his own attitude. Buchanan, confident of his ability, forced Polk to take full responsibility for crossing him."³⁵

Because of these quarrels, we must consider both Polk's notations and Buchanan's writings to get a balanced picture of the Secretary's position on the Oregon question. It was a fairly consistent position, changing little during the eighteen months of negotiations. Buchanan revealed his own long range plans in a letter to Louis McLane, newly appointed American Minister to Britain. The letter, written July 12, 1845, was designed to brief McLane on the history of Anglo-American negotiations over Oregon from their inception to date. In it he states that Polk, despite his aggressive inaugural, had been persuaded to offer again the 49 parallel as the dividing line. Buchanan remarks ". . . it was impossible for him [Polk] to conceive that there could be dishonor in pursuing the course which had been adopted by Mr. Monroe, his patriot Revolutionary predecessor, more than a quarter of a century ago, and had been either expressly sanctioned or acquiesced in by all succeeding administrations." Based on conciliatory tone Buchanan divulges later

³⁵Klein, Buchanan, p. 179.

in this letter, it seems safe to assume he would have wanted the President to offer the 49° compromise and indeed may himself been responsible for persuading him to do so. Further, he tells McLane that the Cabinet has tried to convince the President that there was nothing to "materially injure the interests of the United States" by adopting the 49° line: "We know but little of the country north of it; but, from all the information we have obtained, it is, with the exception of a few spots, wholly unfit for agriculture, and incapable of sustaining any considerable population." Buchanan obviously thought the "Fifty-Four Forty or fight" policy was not in the best interests of the country and on this point sharply disagreed with Polk and all the Manifest Destiny disciples in Congress who fought for all of Oregon.

Buchanan would not claim all of Oregon as the president's inaugural boasted:

[There is doubt] whether the judgment of the civilized world would be in our favor in a war waged for a comparatively worthless territory north of 49°, . . . Besides, a war for such a cause, whilst it would doubtless be sustained by the patriotism, might not meet the approbation, of a large portion of our fellow citizens. On the other hand, suppose the American proposition of the 49th degree of latitude should be again made by the United States and again rejected by Great Britain, and war then be the consequence, we might appeal to all mankind for the justice and moderation of our demand: the voice of an impartial world would pronounce our cause to be righteous, and our own citizens would be enthusiastically united in sustaining such a war. Should the negotiation end in disappointment, the President, having done all that can be required of him for the preservation of peace, will afterwards feel himself perfectly free to insist upon our rights in their full extent up to the Russian line.³⁶

Buchanan's scheme would probably have worked because Britain should

³⁶Moore, VI, 191. The entire despatch is reprinted in Moore, VI, 186-194, Buchanan to McLane, July 12, 1845.

have accepted Polk's compromise proposal. However, Packenham rudely rejected the offer he had been instructed to accept. Historians are still uncertain as to the cause of this unfortunate diplomatic accident. In any case, President Polk became extremely belligerent because of it.

Buchanan now had to deal with both Packenham and Polk personally. Only the personal persuasion directed toward Polk will be studied here due to the limitations of space. Besides, the key to solving the Oregon rested in Polk's hands. With respect to Packenham, however, Buchanan was very successful. He overcame the British Minister's early prejudice: "I am very unwilling, My Lord, to say anything that might raise a doubt in the mind of Her Majesty's Government as to the sincerity of such a declaration [Buchanan's compromise offer of 12 July 1845, which Polk reluctantly approved] , made, as it was, with appearance of earnestness and good will, but I must observe, that if Mr. Buchanan really acts up to His professions in this respect His conduct will exhibit a very remarkable contrast with that observed of Him of late years in every thing relating to intercourse with England."³⁷ Buchanan lived up to his professions by the end of the Oregon negotiations. He convinced Packenham of his sincerity in face-to-face meetings held in Washington during the crisis.³⁸ But Polk was the severest challenge facing Buchanan.

³⁷Packenham to Aberdeen, No. 40, March 29, 1845. Public Record Office, London Foreign Office Records. Vol. 5, no. 425 Library of Congress facsimiles, a citation from Franklin P. Hilman, The Diplomatic Career of James Buchanan (Ph.D. thesis, George Washington University, 1953), p. 90.

³⁸See Curtis, Buchanan, I, 555-557 for a reprint of a written

The first personal confrontation to be analyzed occurred between Polk and Buchanan over the issue of what course of action to take regarding Packenham's insulting rejection of the renewed 49° proposal. We have seen from Buchanan's letter to McLane of July 12th that he hardly expected Britain's refusal to accept the compromise. If she did, however, he felt the United States could lay claim to all of Oregon and if war were to result the country would appear justified in the eyes of the world and the American people. In cabinet meeting, however, Buchanan took a more conciliatory position. Polk ordered Buchanan to "Let the argument of our title to the whole country be full, let the proposition to compromise at latitude 49° be withdrawn, and then let the matter rest, unless the British Minister chose [sic] to continue negotiation."³⁹ Buchanan used the argument that war would likely be the consequence of such a harsh statement. He reminded Polk that such action would be unwise in light of imminent war with Mexico. Polk apparently saw no link between Mexico and Oregon and insisted that we should "do our duty towards both Mexico and Great Britain and firmly maintain our rights, & leave the rest to God and the country."⁴⁰ Buchanan's reply was to the effect that, in his mind, "God would have much to do in justifying us in a war for the country North

account by Buchanan of one such meeting held December 27, 1845. Buchanan's sketch of his role in these exchanges makes him appear forceful, blunt and firm but at the same time fair and conscious of the problems under which Packenham had to work.

³⁹Polk, Diary, I, 2-3.

⁴⁰Ibid., p. 5.

of 49°."⁴¹ Polk was adamant. Buchanan then urged postponement of the message of withdrawal and extension of claims but he was again overruled by Polk. Buchanan wrote the message reluctantly and, in attendance at a cabinet meeting at twelve noon just after delivering the note to the British Ministry, stated, "Well, the deed is done," adding that he thought it was poor policy to close all doors to future negotiations.

Buchanan and Polk had become locked in their first of many tense altercations. It was typical of those that followed over the course of the remaining three and one half years of their close official association. In the Secretary of State's behalf it must be admitted that by raising serious objections to the President's policies he was fulfilling the role of the critic. One reason for the existence of the cabinet system is to allow for free discussion where ideas will not only occur but be thoroughly tested. Buchanan had reservations and spoke up for them forcefully. But he was unable to have immediate persuasive effect on Polk's thinking. This is not surprising, knowing what we do of Polk's tendency to stiffen his position once attacked and of his need to assert authority. "I will control," Polk wrote, "If I would yield up the government into his [Buchanan's] hands and suffer him to become in effect President I have no doubt he would be cheerful and satisfied. This I cannot do." This confession to a diary says much about the persuasive efforts of Buchanan. If it is true that Buchanan "sensed that Polk often appeared to differ with him more to protect the

⁴¹Ibid.

presidential prerogative and to assert command than for reasons substantially bearing on the subject at issue,"⁴² why did he deliberately antagonize the President? It seems clear from Polk's Diary that Buchanan did antagonize the President. In the altercation just discussed, Buchanan made insolent replies to the President. When Polk declared he would "firmly maintain our right, and leave the rest to God and the country," Buchanan very sarcastically replied that God would find it difficult to support the United States in a war over land above the 49° of latitude. This is language insulting to a Manifest Destiny disciple such as Polk who believed that national expansion was equivalent to divinely ordained human progress. To say God would disapprove is risking immediate rejection. Further, the obvious implication in Buchanan's remark is that Polk was endangering the country in a reckless fashion and therefore was not fit to be President. Buchanan "sensed" that such aggravation would lead to a defensive reaction by the President. If Buchanan knew this would be the President's reaction, why didn't he find or search for a more tactful means of convincing Polk of his error? It could be that such blunt tactics by Buchanan only strengthened Polk's intransigence, prolonged the stalemate, postponed the solution, and put the country in jeopardy of war with Britain. It may have been largely due to Buchanan's badgering that Polk was led foolishly to remark "that the only way to treat John Bull was to look him straight in the eye."⁴³ The incident just discussed is

⁴²Klein, Buchanan, pp. 182-183.

⁴³Polk, Diary, I, 155.

merely one example of the method Buchanan used to achieve his diplomatic purposes with respect to Oregon. Polk's diary and Buchanan's letters abound with other examples of tactless and embarrassing attacks on Polk's policies.

Yet, the two worked together and finally achieved solution to many problems:

It seemed to Buchanan that the Tennessean, not entirely sure of himself and fearful lest he become a puppet of the Cabinet, went out of his way to emphasize his determination to wield the scepter. Polk's voluminous diary reflects throughout a deep-seated distrust of Buchanan and is filled with uncharitable comments about him. Yet, though the Secretary of State disagreed with him on almost every important diplomatic decision, Polk retained him. In fact, Polk for the most part arrived ultimately at the judgements Buchanan had offered in the beginning.⁴⁴

Despite all the petulant criticism, Polk wrote that "Mr. Buchanan is an able man."⁴⁵ Buchanan reciprocated with kind words at Polk's death: "He was the most laborious man I have ever known; and in a brief period of four years had assumed the appearance of an old man."⁴⁶ One wonders if Buchanan felt in any way responsible for Polk's sudden ageing.

In terms of personal diplomacy, then, Buchanan tried to bring John Bull and James Polk together on the Oregon question by persuading the President to take a more conciliatory stand. We have seen how Buchanan employed the motive in his conversations with the President only to produce an even more bellicose response. We have seen how Buchanan aggravated Polk by bickering with him.

⁴⁴Klein, Buchanan, p. 192.

⁴⁵Polk, Diary, IV, 355.

⁴⁶Buchanan to A. J. Donelson, noted in Klein, Buchanan, note, p. 450.

Further, Buchanan knew that what mattered most to Polk was not the issue at hand but that Buchanan not be permitted to take over his office. Since Buchanan was aware of the effect of his persuasive efforts, one is dismayed to learn that throughout the course of the negotiations he didn't change his approach to Polk's obstinacy. He may have felt no other method would work but then there is no evidence available that he ever experimented with other approaches. Buchanan might, for example, have tried to persuade Packerham to apologize personally to the President. Or, he could have given Polk his full support out of deference to his rank. In any case, the key to the solution, and Buchanan must have known it, was to find a method of interacting with the President without appearing to usurp his office. Instead, every action, Buchanan took, every remark he made, seems to have been aimed at proving Polk's incompetency for the Presidency and establishing his own. Such assaults were fruitless and rhetorically unwise.

This is an example not of poor audience analysis, but of poor adaptation. We saw Buchanan's ineptitude at audience analysis while in the Senate--here we see him displaying poor adaptation to an audience he knew well and personally. Buchanan understood Polk's temperament, his motivations, and his predictable response to a certain form of rhetorical treatment. How to explain this strange behavior is beyond the scope of this study. Only one conclusion can be drawn. Although Buchanan's motives may have been pure and admirable, although he was proven right in that it was his policy which finally won out, we nonetheless must not overlook that we

have discovered another serious indication of Buchanan's lack of rhetorical versatility, this time in the rhetoric of face-to-face, personal persuasion.

Buchanan also employed "official" rhetoric in an attempt to appease the British. Perhaps the two most significant official communiques during the last eighteen months of the negotiations were issued early in Polk's term. Packenham's shocking letter of July 29, 1845, rejecting Polk's compromise offer of July 12 was easily the most important British document. Unfortunately, it did nothing to promote the peaceful settlement which seemed so likely just months before. Packenham had been instructed to accept, at least as a basis for negotiations, any American plan calling for a 49° boundary line. Mysteriously, he rejected such an offer when it was received, not even bothering to forward the American proposal to London.⁴⁷ Polk's growing obstinancy was in part due to some impolite remarks contained in the rejection note. The American answer was an angry directive issued by Polk to Buchanan in cabinet session: "Let the argument of our title to the whole country be full, let the proposition to compromise at latitude 49° be withdrawn, and then let the matter rest, unless the British Minister chose [sic] to continue the negotiation If he chooses to close the negotiations he can do so. If he chooses to make a proposition he can as well do it without our invitation as with it. Let him take the

⁴⁷Henry Commager, "England and the Oregon Treaty of 1846," Oregon Historical Quarterly, XXVIII, 19, speaks of Aberdeen's disapproval of Packenham's rejection of the American proposal. Klein, Buchanan, p. 180, remarks that "very shortly word arrived from McLane in London that Aberdeen strongly disapproved of Packenham's rejection of the American compromise offer and would like to negotiate further."

one course or the other, the U. States will stand in the right in the eyes of the whole civilized world, and if war was the consequence England would be in the wrong."⁴⁸

Buchanan disagreed with the President's decisions as discussed above. He feared war, a war which the people could not condone unless national honor were at stake. But Polk was not to be talked out of his policy. Buchanan's war threats did not lessen his determination to have all of Oregon, not since Packenham had insulted the President of the United States. Buchanan made one last plea. He urged Polk to allow him to include a paragraph "to the effect that any further proposition with the British Minister might submit, would be deliberately considered by the United States." Polk objected to this on the grounds that it sounded weak and conciliatory. Further, "the President objected upon the ground that our proposition for 49° had been rejected flatly" and that "if we withdraw our proposition . . . and at the same [time] give a formal invitation to the British Minister to make a proposition . . ." they will draw the "inevitable and irresistible inference . . . that we are prepared to accept terms less favourable to the U. S. than the 49° . . ."⁴⁹ Buchanan soon realized the futility of arguing further with Polk. In the depths of despair he told the President that Oregon could be won by diplomatic means but "by strong measures hastily taken we would have war and might lose it."⁵⁰ With great reluctance, Buchanan turned to the

⁴⁸Polk, Diary, I, 2-3.

⁴⁹Ibid.

⁵⁰Ibid., I, 62-63.

task of drawing up what was to become one of the most noteworthy documents of the entire proceedings.

The task of drawing up a case in justification of claims to the whole of Oregon was work at which Buchanan had few equals. It was lawyer's work and he excelled at it. He developed the argument much like a lawyer's brief, or a debater's case. "The strength of a case," remarked Ehninger and Brockriede, "is determined by two criteria: (a) reasoning in a valid way from accurate evidence to claims relevant to the issues; and (b) identifying with the beliefs and values of those who decide the fate of the proposition."⁵¹ In light of these criteria, if Buchanan's letter be regarded as a case in support of the contention that "The whole of Oregon legally belongs to the United States," it is a very strong case indeed. The Secretary of State refuted every argument Packenham had made in his rejection note of July 29, 1845. Britain had no claim better than the United States in terms of rights by means of (a) exploration, (b) settlement, or (c) international agreement. Actually, the Spanish were first to explore the Northwestern coast and to lay claim to the area from California to the Russian line. The British argued, and repeated in Packenham's note, that part of what had been exclusive Spanish territory by right of discovery and original charting, had been ceded to Great Britain at the Nootka Sound Convention of 1790. The Nootka Convention became the status issue in the legal sphere of negotiations over Oregon. Buchanan argued, first, that the British

⁵¹Douglas Ehninger and Wayne Brockriede, Decision by Debate (New York, 1963), p. 233.

claim to Oregon was based primarily on the convention. Second, he maintained that the Spanish yielded to Britain only limited trading rights with certain Indian nations. Third, that Spain therefore retained almost total ownership of the disputed territory even after the 1790 convention. Fourth, that the Nootka Sound Convention was no longer in effect in view of "that clear general principle of public law, 'that war terminates all subsisting treaties between the belligerent powers'."⁵² Further, that the Nootka Treaty had been abrogated by the Napoleonic Wars, notably the battle of Trafalgar in which Nelson met and defeated the combined French and Spanish fleets.⁵³ Fifth, that all the rights of Spain, including these that reverted back to Spain after the Napoleonic Wars, were ceded to the United States by the Adams-Onís Treaty of 1819 between Spain and the United States. This highly complicated chain of arguments is well supported by reference to diplomatic documents.

The only weakness detected in Buchanan's case by this observer is that he failed to mention that the United States gave de facto recognition of partial British rights to the Oregon territory by the 1818 and 1827 joint occupation agreements. He may have omitted any mention of this issue because of the clause permitting either side to renounce the agreement by giving one year's notice. The apparent assumption in this reasoning is that after the joint occupation had been ended ownership reverted to the United States. This is the only issue not met by Buchanan in his well wrought document.

⁵²Buchanan to Packenham, August 30, 1845, Moore, VI, 331-354.

⁵³W. E. Lunt, History of England (New York, 1956), p. 612.

The letter was highly thought of at home and abroad. Even Polk expressed unrestrained praise following a reading of it in cabinet session three days before its delivery to Packenham: "When the reading was concluded the President expressed the opinion that it was an able and admirable paper, and that the argument in support of the American title was conclusive and unanswerable. In this opinion all members of the Cabinet concurred."⁵⁴ The Postmaster General, Cave Johnson, "remarked that if he had heard that argument before the compromise at 49° was proposed he would not have agreed to it."⁵⁵ George Bancroft, Secretary of the Navy, thought Buchanan's letter far superior to that of Packenham.⁵⁶ From Britain, by means of McLane, came word "that the clear enunciation of the American claim had counteracted the idea that the American demands were sheer brass and much softened the British attitude."⁵⁷

Polk had ordered that "the argument of our title to the whole country be full" This Buchanan had supplied. He once again showed himself to be outstanding as a legal rhetorician. But the real issues in the dispute were even more basic than the legal question, and Buchanan knew it. It was a matter of personal pride (Polk's), of national prestige, and of domestic politics on both sides of the Atlantic. In the United States Polk had made the Oregon affair a test of his personal will against the might of Great Britain. Besides, there were expansionists who lobbied for their cause.

⁵⁴Polk, Diary, 6-7.

⁵⁵Ibid., p. 7.

⁵⁶M. A. De Wolfe Howe, ed., Life and Letters of George Bancroft (New York: 1908), I, 280-281.

⁵⁷Klein, Buchanan, p. 180.

Pro-slavery men wanted Oregon annexed as a free territory to balance their demand for more slave lands in the South. There was a plan to repeal the protective tariff which was linked to the Oregon affair because it was a part of the Polk package. Imminent war with Mexico had an influence on the negotiations, or so believed Buchanan.

Britain was troubled over increased tensions with France, a potato famine in England and Ireland, and talk of a dramatic economic reversal by abolishing the Corn Laws.⁵⁸ These were the real issues to be negotiated.

Buchanan tried to persuade the President to expand the latitude of the negotiations to take in all issues. He felt that both countries had much in common, for example their mutual trend toward free trade, and that if he were permitted to mention the benefits to be derived by both sides with a compromise, the British would offer to settle on the 49 parallel. But Polk was in an uncompromising spirit after Packenham's note of July 12. Buchanan tried to brow-beat the President, as noted above: "He harrassed the president on appointments, threatened to resign, blew hot and cold on . . .

[a] Supreme Court appointment, which would have injured the Administration had he taken it in the midst of the fight on Oregon, and continually urged objections to Polk's ideas."⁵⁹ Little can be said for Buchanan's tactics of personal persuasion, even though, from hindsight, the contemporary observer can see that his motives were

⁵⁸Merik, "The British Corn Crisis of 1845-46 and the Oregon Treaty," Agricultural Quarterly, VIII (1934), 95-123.

⁵⁹Klein, Buchanan, p. 181.

pure and probably right. He tried to hold the door open for negotiations but his rhetorical methods were not successful. Buchanan is not downgraded here because he was unsuccessful in the short run nor praised because his policies were victorious in the end. He is given credit for finally helping to persuade the President to relent. He is admired for his prowess as a writer of official documents. He is applauded for his valiant effort to keep America out of the war with Britain. Nonetheless, his harassing and foot-dragging tactics of personal persuasion employed against Polk were inept. They were worth the effort once. But no excuse can be offered in Buchanan's behalf for their continued use for eighteen months. Buchanan would have displayed far more rhetorical accomplishment had he varied his methods of dissolving Polk's will. It is for his apparent inability to be rhetorically flexible that Buchanan must be remembered as a diplomat. There was a distinct similarity between Buchanan's public and private rhetoric. In the Senate, he seemed unable to invent rhetorical approaches to meet a situation requiring adaptability. The Whig opposition was motivated by hidden emotions but Buchanan's rhetorical efforts were directed at surface arguments only. In the Cabinet, Polk was driven by a jealous defense of the presidential prerogatives. Again, Buchanan awkwardly met the situation with an unyielding and confining rhetorical method. He seemed unable or unwilling to vary his argumentative methods, regardless of what particular circumstances demanded. He was the same rigid rhetorician before both public and private live audiences as he sought to influence

human affairs. Would Buchanan offer an unbending rhetorical approach to the ominous problems produced by secession temper as President?

CHAPTER VI

THE RHETORICAL STRATEGY OF PRESERVING PEACE

At Cincinnati in 1856, the Democratic Party picked James Buchanan as its standard bearer thus ending a thirty-six year "still hunt" for the nomination.¹ He had been following his formula methodically since he entered the House in 1821: "the appearance of disinterestedness, the support of the home constituency, and national rather than sectional views on burning issues of the day."² It was, in particular, his national view on important issues which got him elected. Amidst the storm of sectionalism blowing from extremists in both North and South, Buchanan supported an appealing course, putting Union above section. He wrote to J. Clancy Jones, "The Union is in danger and the people everywhere begin to know it."³ Buchanan's unionist theme, supplemented by a new plank in the party platform calling for curtailment of agitation on the slavery controversy, made him sufficiently appealing to many Northerners and most Southerners. In the election of 1856, he won all of the slave states, and, just as important, five of the free states: California, Indiana, Illinois, Pennsylvania, and New Jersey. He had a total of 174

¹Ben Perley Poore, Perley's Reminiscences of Sixty Years, 2 vols. (Philadelphia, 1886), I, 332, states that "never did a wily politician more industriously plot and plan to secure a nomination than Mr. Buchanan did, in his still hunt for the Presidency." See Klein, Buchanan, pp. 194-205.

²Klein, Buchanan, p. 194.

³Buchanan to Jones, June 27, 1856, as cited in Klein, Buchanan, p. 455.

electoral votes; John C. Fremont, of California, the Republican candidate, had 114. Buchanan did not win a majority of the popular vote, however.

Buchanan took office at a time when the emotions of the American people were centered in sectional strife. Only six years before, a major national crisis had been averted by the Compromise of 1850. During the years since the Missouri Compromise of 1820, feelings of sectional mistrust had been generated over the issue of slavery. Anti-slavery crusades in the North intensified unfriendliness between the sections. Abolitionist forces included such elements as the Quakers, the American Colonization Society, the New England Anti-Slavery Society, and William Lloyd Garrison's radical publication, The Liberator, in combination with such Western abolitionists as James G. Birney and Elijah Lovejoy. These diverse elements published and spoke of the evils of slavery during the decades between the two great compromises. Anti-slavery agitation caused Southern leaders to alter their once passive acceptance of slavery to active defense of it as an institution, humanely and economically defensible.

There was pronounced economic strife between the two regions. Southerners believed the "South had an essentially colonial economy, from which heavy profits were drained off by Northern middlemen." People in the North thought that "Southern political power, disproportionate to the section's economic strength, helped retard measures which Northern capitalists desired."⁴ So the arguments

⁴Randall and Donald, The Civil War and Reconstruction, p. 82.

raged, the slavery dispute reaching dangerous proportions by 1850.

It was the Mexican question which abruptly added fuel to the national dispute over slavery:

...Larger phases of the slavery question...seemed to recede as the controversies of the fifties developed; for while the struggle sharpened, it also narrowed. As political conflicts between North and South unfolded, the attention of the country as a whole (as distinguished from certain crusading groups) became diverted from the fundamentals of slavery in its moral, economic and social aspects; and the thought of the nation politically became concentrated upon the collateral problem as to what Congress should do with respect to slavery in the territories.⁵

The peace treaty with Mexico in 1846 called for the cession of new territories which would eventually comprise the states of California, Utah, Nevada, and parts of Arizona, New Mexico, Colorado, and Wyoming. The Wilmot Proviso, which would have excluded slavery from all these territories, infuriated the South. Southerners now seriously considered withdrawal from the Union: "The vital questions in South Carolina was not 'Shall we secede?' but 'Shall we secede independently?'"⁶

Congress assembled in December of 1849 for one of its most tension ridden sessions. In the ensuing debates, intemperate language resounded through congressional chambers. Bitter words calling for disunion were spoken by Robert A. Toombs of Georgia and Alexander H. Stephens of Georgia. Jefferson Davis thought separation was inevitable unless Southern rights in the territories could be protected. Otherwise, he felt the political balance of power between North and South would disappear. Calhoun offered an ominous ultimatum to the Senate: The Union would dissolve unless Southern demands were met.

⁵Ibid.

⁶Ibid., p. 84.

Clay proposed his famous compromise which, with the help of Daniel Webster and Stephen A. Douglas, provided a temporary solution to the crisis. But the peace produced by the Compromise of 1850 was shortlived. Under President Pierce, the Ostend Manifesto, to which Buchanan had been an unwilling party, sounded a sinister warning to Northerners. The Manifesto, urging a purchase or seizure policy toward Cuba, caused many to fear that the Democratic Party intended to obtain Cuba to provide anew the flaming passions of sectional strife which the 1850 Compromise had managed merely to dampen. The Kansas-Nebraska Act was passed into law in 1854. Its most controversial feature concerned the legal existence of slavery in the territory: "Briefly,. . . the people were to decide as to slavery in the territories with the right of appeal on matters of constitutionality to the Supreme Court of the United States."⁷ The doctrine of popular sovereignty made Kansas the target of both sides. Settlers from the North and South streamed into the territory from 1854-1856. Pro-slavery and anti-slavery camps quickly developed, false elections held, statehood sought by both free and slavery adherents under governmental instruments reflecting their basic disagreements:

Artificially stimulated emigration, fanatical outside interference, campaigns of propaganda, frontier brawls, violence in Congress, frantic debates of press and platform, election frauds, and partisan efforts to make political capital out of the Kansas situation---such were the factors which mark the development of this turbulent territory, and which make it difficult even yet for the historian to sift out the truth in tracing that development.⁸

⁷Ibid., p. 93.

⁸Ibid., p. 97.

It was in the heat of this sectional controversy that the country faced a presidential election in 1856.

The Democratic Party took a decided pro-Southern position in nominating James Buchanan for President at its Cincinnati Convention. The party platform was based on the philosophy of non-interference by Congress with regard to slavery in the territories or in the established states. Buchanan was chosen over Pierce, Lewis Cass of Michigan, and Stephen A. Douglas of Illinois. The Party took cognizance of Buchanan's experience, his seeming pro-Southern slant and his dignified appearance. He was felt to be a public spirited man. Further, he had craftily acquired a large following in the North and the South by his conservative stand on key issues and by his careful cultivation of widespread personal friendships. The party leaders were attracted to his trend of thought as expressed in writings and speeches:

Writing to a friend on September 14, 1856, he referred to the apprehension "that the election of Fremont involves the dissolution of the Union, & this immediately," and closed his letter with the words: "God save the Union! I do not wish to survive it." Speaking on November 6, 1856, he said, commenting on Democratic triumph in Pennsylvania and Indiana: "We had reached the crisis. The danger was imminent. Republicanism was sweeping over the North like a tornado The . . . Union. . . appeared to be tottering . . . Had Pennsylvania yielded, had she become an abolition State, . . . we would have been precipitated into the yawning Gulf of Dissolution."⁹

It was sentiments similar to these uttered before the nomination which endeared Buchanan to the Democratic Party.

Numerous groups in the North who considered Southern tendencies dangerous, turned to the Republican Party and Fremont. The

⁹Ibid., pp. 102-103.

Republicans stood "against the repeal of the Missouri Compromise, opposed the extension of slavery, denounced the tyrannical and unconstitutional course of events in Kansas, favored its admission as a free state, denounced Southern expansionism as represented in the Ostend Circular, and declared it the duty of Congress to stamp out those twin relics of barbarism---polygamy and slavery---from the territories."¹⁰

The key issue in Democratic victory was the "popular sovereignty" formula. But "popular sovereignty" was an ambiguous term to most voters:

To the Northern Democrats popular sovereignty meant what Douglas meant, namely, that the people of a territory should decide the slavery question for themselves; while to the Southerners "non-interference" of the Federal government was understood to mean protection for slavery during the territorial stage, giving the people of the territory the privilege of choosing between slavery and freedom only at the time of making a state constitution and applying for admission to the Union. The public statements of Buchanan during the contest did not clarify the mystery that arose from this double interpretation of the platform.¹¹

In actuality, the Democratic victory of 1856 disposed of none of the problems facing the nation. Confusion reigned throughout the country as the election results were variously interpreted. Buchanan found his own party divided: "He had been nominated because he represented the conservative attitudes; but he had been elected only because certain divisive groups, like the radical exponents of southernism, had supported him. His was the task of

¹⁰Ibid., pp. 103-104.

¹¹Ibid., p. 104.

keeping intact a party in danger of splitting into two opposing factions."¹² His was also the task of keeping a nation intact.

Because Buchanan was a known conservative, radical Southern spokesmen immediately pressed upon him certain demands. With the support of a propagandistic press, including Robert Barnwell Rhett's The Charleston Mercury, and Jefferson Davis' mouthpiece, the New Orleans Delta, radicals insisted upon full protection of Southern rights: "The South would not accept minority status."¹³

Generally, the radical Southern groups wanted more slave states to be carved out of new territories. One scheme was for the immediate acquisition of Nicaragua, Cuba, and Northern Mexico. Increased slave trade was also demanded.¹⁴

The Northern wing of the Party hoped Buchanan would stop the spread of slavery. They were delighted that, in a letter to the public before the inauguration, he had endorsed the Pacific railroad project. But it was the Southern wing which caused Buchanan the most apprehension:

Southern radicals were watching Buchanan's every step, but he realized this was no time to satisfy them; to adopt the program of Rhett and the radicals would lose the party that small margin of votes in the key northern states needed to remain in power. Buchanan saw his duty plainly. He must build an administration that would conserve the party strength and stop the Republican advance. He must seek conservative, national, Union-loving men, who had public confidence. He encouraged national attitudes and simple, harmless formulas which would mark the Democratic party as the "party" of safety. As he wrote to Justice Grier, he must "destroy the dangerous slavery agitation

¹²Roy F. Nichols, Disruption, p. 52.

¹³Ibid.

¹⁴Ibid., p. 53.

. . .strengthen the Democratic Party . . .and restore peace to our distracted country."¹⁵

In a letter to John G. Mason, Buchanan proclaimed his presidential aims: "The great object of my administration will be to arrest, if possible, the agitation of the slavery question at the North, and to destroy sectional parties. Should a kind Providence enable me to succeed in my efforts to restore harmony to the Union, I shall feel that I have not lived in vain."¹⁶

Buchanan's first step toward easing sectional stress was to choose a Cabinet comprised of men whose devotion to the Union exceeded their love for their sections. Months of careful maneuvering resulted in the selection of a Cabinet that met political obligations as well as represented national interests. The Cabinet members, unionists all, included the aged Lewis Cass of Michigan, Secretary of State, chosen because he represented the West, and because he had been the 1848 Democratic presidential candidate, a symbol of party unity; Howell Cobb of Georgia, Secretary of Treasury, chosen because he represented Southern unionists; John B. Floyd of Virginia, Secretary of War, selected because he was a personal friend of Buchanan's, was a Southern unionist, and had demonstrated executive experience as governor of his state; Issac Toucey of Connecticut, Secretary of the Navy, a capable Northerner Buchanan had first met in the Polk Cabinet; Aaron V. Brown of Tennessee, Postmaster General, a former law partner of Polk, forced on Buchanan by insistent Tennessee politicians; Jacob Thompson of Mississippi, Secretary of the Interior,

¹⁵Ibid., p. 54.

¹⁶Buchanan to John G. Mason, December 29, 1856, Curtis, II, 185.

a unionist friend of John Slidell, a Buchanan adviser; and Jeremiah S. Black of Pennsylvania, Attorney General, a brilliant lawyer but mainly chosen because he served as a token of appreciation for Pennsylvania's part in the election of Buchanan: "There would be not one factionist or one sectional fanatic among his advisors; all were devoted to the Union above section; to the party above faction; and to a desire to preserve the status quo at least long enough to calm the public mind. The Cabinet would be national and conservative."¹⁷

Buchanan planned to balance his status quo policy at home with an aggressive diplomacy in Latin America. The object of the first was to calm sectional feelings with domestic policies that were rooted in conservative nationalism. He hoped to divert public preoccupation over sectional matters by stimulating patriotic zeal for our "ascendancy in the Gulf of Mexico" with his program in foreign affairs. Buchanan first publicly disclosed his grand design in his inaugural address.

The President's speech at his swearing-in ceremony does not rank among the greatest in the inaugural genre. Perhaps its rhetorical significance has been underestimated.

The inaugural address was delivered on a warm spring day, March 4, 1857. Washington was overrun with visitors and hotels were filled to capacity. At the appointed hours, bells began to ring across the city and the many contingents of the inaugural parade formed, the marshalls desperately trying to put the gaily uniformed

¹⁷Klein, Buchanan, p. 269.

military units, the firemen's bands, the floats, etc., in order. Buchanan, with Vice-President-elect Breckinridge at his side, rode at the head of the parade in a handsome barouche which departed from the National Hotel around noon. There was a twenty minute delay-- President Franklin Pierce had not been provided for by the arrangements committee, in the attendant excitement. Eventually, Buchanan's carriage called for the President at the Willard Hotel. Vice-President John C. Breckinridge of Kentucky took the oath of office first, according to custom; the ceremony was held in the Senate Chamber. Following this brief formality, Buchanan was led onto a sheltered platform which had been hastily erected in front of the east portico of the Capitol. On his way to his seat, Buchanan met Chief Justice Taney "momentarily at the front of the rail and held a brief chat. Some of those who witnessed this exchange swore to their dying day that at this very moment Taney told Buchanan how the Supreme Court would decide the Dred Scott case, and that Buchanan instantly added this information to his address. What they did not know was that he had more than a week before learned the news from one of the Justices."¹⁸ Buchanan then delivered his brief address and took the oath of office.

From the opening remarks of the speech, it must have become apparent to those in attendance that Buchanan would strive to play the role of the peacemaker during his presidency:

¹⁸Klein, "The Inauguration of President James Buchanan," Journal of the Lancaster County Historical Society, LXI (October, 1957), 164. Nichols, Disruption, p. 71 says "none but the court itself suspected that Judge Grier had done this in writing some days before."

In entering upon this great office I must humbly invoke the God of our fathers for wisdom and firmness to execute its high and responsible duties in such a manner as to restore harmony and ancient friendship among the people of the several States and to preserve our free institutions throughout many generations. Convinced that I owe my election to the inherent love for the Constitution and the Union which still animates the hearts of the American people, let me earnestly ask their powerful support in sustaining all just measures calculated to perpetuate these, the richest political blessings which Heaven has ever bestowed upon any nation. Having determined not to become a candidate for reelection, I shall have no motive to influence my conduct in administering the Government except the desire ably and faithfully to serve my country and to live in grateful memory of my countrymen.

We have recently passed through a Presidential contest in which the passions of our fellow-citizens were excited to the highest degree by questions of deep and vital importance; but when the people proclaimed their will the tempest at once subsided and all was calm.¹⁹

Buchanan by-passed the slavery question and, by refusing to take a stand on the issue, hoped to soothe bruised feelings and lull the nation into a peaceful torpor. The entire speech is styled in soft, hypnotic, and suggestive terms: "The voice of the majority, speaking in the manner prescribed by the Constitution, was heard, and instant submission followed."

Buchanan worked his hypnotic spell not by style alone. His words are soothing and optimistic. But the topics themselves are designed to give comfort to a nation besieged by rampant fear. The speech is full of praise for the American government: "The voice of the majority, speaking in the manner prescribed by the Constitution, was heard, and instant submission followed. Our own country could alone have exhibited so grand and striking a spectacle of the capacity of man for self-government." At a time when disunion talk

¹⁹Davis Newton Lott, The Presidents Speak (New York, 1961), p. 111.

was heard throughout the land, praise of the American system and avowed faith in man's capacity for self-government seemed most appropriate. Speaking of the evils of disunion, Buchanan proclaimed his support for a peaceful solution: "But such considerations, important as they are in themselves, sink into insignificance when we reflect on the terrific evils which would result to every portion of the Confederacy--to the North, not more than to the South, to the East not more than to the West. These I shall not attempt to portray, because I feel an humble confidence that the kind Providence which inspired our fathers with wisdom to frame the more perfect form of government and union ever devised by man will not suffer it to perish until it shall have been peacefully instrumental by its example in the extension of civil and religious liberty throughout the world."

The President promised that his government would be free from corruption and it would maintain the sound financial condition inherited from President Pierce. At this point, he advocated the projects he hoped would unite all sections in a national endeavor: "I . . . consider it clear under the war-making power Congress may appropriate money toward the construction of a military road when this is absolutely necessary for the defense of any State or Territory of the Union against foreign invasion ." Buchanan attempted to shift public attention from civil war to the preparedness for war instigated from without.

Continuing his discussion in the vein of external interests, the President broached the subject of foreign affairs, still attempting to build national pride as an antidote to internal disorder. From

these remarks, one can easily discern the beginnings of his plans for ascendancy in Latin America:

It is our glory that whilst other nations have extended their dominions by the sword we have never acquired any territory except by fair purchase, or as in the case of Texas, by the voluntary determination of a brave, kindred, and independent people to blend their destinies with our own. Even our acquisitions from Mexico form no exception. Unwilling to take advantage of the fortune of war against a sister republic, we purchased these possessions under the treaty of peace for a sum which was considered at the time a fair equivalent. Our past history forbids that we shall in the future acquire territory unless this be sanctioned by the laws of justice and honor. Acting on this principle, no nation will have a right to interfere or to complain if in the progress of events we shall still further extend our possessions. Hitherto in all our acquisitions the people, under the protection of the American flag, have enjoyed civil and religious liberty, as well as equal and just laws, and have been contented, prosperous, and happy. Their trade with the rest of the world has rapidly increased, and thus every commercial nation has shared largely in their successful progress.

The lines of argument forming the basis of Buchanan's presidential objectives join with the introduction of the expansionist theme.

Despite the pervasive aura of peace and tranquility, Buchanan did not ignore the most chafing issue of the moment. He tackled the Kansas problem head on, although optimism was the underlying theme even here. His policy with regard to Kansas was rooted in "squatter sovereignty." To Buchanan, there was every reason to rejoice over the prospects for peace in Kansas: "What a happy conception, then, was it for Congress to apply this simple rule, that the will of the majority shall govern, to the settlement of the question of domestic slavery in the Territories?" Even the complicated question of deciding when and how a territory should decide to be slave or free was made to appear simple by Buchanan's inexorable optimism:

A difference of opinion has arisen in regard to the point of time

when the people of a Territory shall decide this question for themselves. This is, happily, a matter of but little practical importance. Besides, it is a judicial question, which legitimately belongs to the Supreme Court of the United States, before whom it is now pending, and will, it is understood, be speedily and finally settled. To their decision, in common with all good citizens, I shall cheerfully submit, whatever this may be, though it has ever been my individual opinion that under the Nebraska-Kansas act the appropriate period will be when the number of actual residents in the Territory shall justify the formation of a constitution with a view to its admission as a State into the Union. But be this as it may, it is the imperative and indispensable duty of the Government of the United States to secure to every resident inhabitant the free and independent expression of his opinion by his vote. This sacred right of each individual must be preserved. That being accomplished, nothing can be fairer than to leave the people of a Territory free from all foreign interference to decide their own destiny for themselves, subject only to the Constitution of the United States.

Finally, Buchanan expressed what he believed was the opinion of all his countrymen: "No other question remains for adjustment, because all agree that under the Constitution slavery in the States is beyond the reach of any human power except that of the respective states themselves wherein it exists." On this principle, Buchanan based his belief that the widespread anti-slavery agitation would subside: "May we not, then, hope that the long agitation of this subject is approaching its end, and that the geographical parties to which it has given birth, so much dreaded by the Father of his country, will speedily become extinct? Most happy will it be for the Country when the public mind shall be diverted from this question to others of more pressing and practical importance." (The last sentence quoted succinctly mirrors the rhetorical manifestations of Buchanan's political aims while President.)

The speech was calculated to reduce fear, create confidence, and produce a cozy, somnolent sensation among the hearers.

One may quarrel with this approach on the grounds of historical inappropriateness. Was it wise to deemphasize the dangers facing the nation in 1857? More difficult to answer, Was it ethical to do so? Lulling a people into a sense of false security during precarious times sounds like a dangerous rhetorical miscalculation. However, the danger in this instance was not of the usual variety. No enemy from without stalked American borders in the 1850's. Instead, the threat of annihilation was self-produced. It was not the murder of a people at stake but national self-destruction, national suicide. Buchanan, then, was not attempting to produce a false security but a real national confidence and faith in the future as a means of dispelling gloomy suicidal tendencies. Besides, a hard speech emphasizing dangers might add fuel to the fires of latent fratricidal hysteria already burning in the minds of extremists on both sides. In brief, just as strong a case can be made to support Buchanan's palliating rhetoric in his inaugural as can be made for a more aggressive approach.

Buchanan's strategy was the less risky of the two alternatives investigated above. For this reason his caution was for once, at least, a sensible, practical, and reasonable choice. The fact that Buchanan failed should not detract from the wisdom and artfulness of his rhetorical effort in the cause of peace at the onset of his administration.

Buchanan's inaugural address was designed to achieve what Edwin Black has termed "argumentative synthesis." Buchanan hoped to transcend the sectional clash by offering a universal theme that

all parties could embrace. That theme as discussed above, was national pride, based upon prosperity and expansionism. Buchanan should be given credit for conceiving this strategy for it demonstrated unusual rhetorical insight. There were, of course, other speakers who sought to ease the sectional difficulty. Jefferson Davis, for example, sought to dramatize the unionist ideal but he clouded the effort by insisting on the protection of Southern rights. Stephen A. Douglas had an idea similar to Buchanan's. He had hoped to allay sectional feelings and unify the Democratic Party by ignoring the slavery question. He had designed his Kansas-Nebraska Bill for the purpose of opening the West according to the "popular sovereignty" formula. Apparently, he felt the bill would distract the nation from its preoccupation with slavery and direct the attention of the people instead toward building a "continuous line of settlements to the Pacific Ocean." He too should be given credit for attempting to find an "argumentative synthesis," even though his plan contained a serious defect that perhaps he should have anticipated. The Kansas-Nebraska bill actually ignited again the sectional fires he had intended to extinguish forever.

Buchanan's efforts should not be minimized because Douglas had a similar idea. Rather, we find that Buchanan's rhetoric was unique. He found a new method of bringing unity: national pride. Douglas' motivational appeal was primarily economic; Buchanan's was idealistic. Further, we must not forget the palliating tone to Buchanan's address. He showed a capacity, unexpected of him, for finding a rhetorical remedy for a problem fraught with emotionalism.

His soothing rhetoric in the inaugural address reveals Buchanan's acute knowledge, suddenly realized, of the dangerous situation and of the psychological explanation for it.

The rhetoric of palliation was well designed and well performed. The same cannot be said for the "argumentative synthesis" goal. Buchanan lacked the ability to dramatize his scheme for national unity. He could not make the military road or the Latin American venture seem more important than slavery agitation. He was unable to help listeners visualize the role they would play in the new drama he wanted to stage. It was his inability to make his alternatives vivid and appealing which became the greatest weakness in the inaugural address. Although his rhetorical strategy was well conceived, with respect to the "argumentative synthesis" he tried to create, it was not well executed in most respects.

A sampling of newspaper accounts and editorial comments regarding the inaugural address from Northern, Southern, and middle states reveals an indication of the immediate effect of the speech on the press. The National Intelligencer reported that "The President Elect . . . stepped forward to the centre of the platform and commenced his Inaugural Address, in a forcible manner, so as to be heard over a considerable area of the vast assemblage gathered before and around him. The address was frequently cheered as the sentiments which suited the feelings and judgments of his auditors reached their ears. At the conclusion of his address the President Elect bowed to the people, who saluted him with hearty cheers. He then turned towards the Chief Justice of the Supreme Court, who administered

the oath of office, and the President reverently kissed the book."²⁰
 All of the newspapers studied contained detailed accounts of the inaugural parade, the address, and the boisterous balls held in Washington on the 4th of March, 1857.

The Baltimore American gave modified approval of the inaugural: "In some respects, it [the inaugural address] is more emphatic and pointed than has been characteristic of our late Presidents There is much in it of wholesome and timely admonition, and without subscribing to all the doctrines it ennuicates, a hasty perusal disposes us to regard it as likely to increase the general confidence with which the country will look to the administration of its distinguished author."²¹ The Baltimore Patriot, however, was disappointed by the speech:

Those who have looked long and anxiously to the publication of the inaugural address of President Buchanan, in the hope that it would contain decided expression of the policy of the new administration will be disappointed. The most notable feature of the address is its utter absence of individuality, and the conclusion we have reached, after bestowing upon it a careful perusal, is that it foreshadows nothing, and that our new President is disposed to take things as easy as possible, and to swim as adroitly as circumstances will allow with the popular current. The whole inaugural is vague and unsatisfactory---the truths it tells us we knew before, and, for the rest we have hints and qualifications of hints, but nothing tangible.²²

One Southern paper, the Savanah Morning Daily News, was surprisingly noncommittal about Buchanan's inaugural address: "The inaugural address of President Buchanan . . . will be read with interest. We shall leave our readers to form their own opinions

²⁰ National Intelligencer, March 5, 1857.

²¹ Baltimore American, March 6, 1857.

²² Baltimore Patriot, March 6, 1857

of the document, in the conviction that reasonable and moderate men of all parties will approve its tone and general views of governmental policy."²³ The New York Daily Times took a cautious view of the speech:

Mr. Buchanan's Inaugural sets forth the principles upon which he proposes to base his Administration Contrary to custom, but with evident propriety, he puts the question of slavery in the Territories in the foreground of the picture. It was the pivot of the election. It was preeminently the topic upon which the people of the Union were divided. Mr. Buchanan cannot doubt the sentiment of the great body of the people of the Free States upon this subject. He can scarcely believe them indifferent to its solution, or disposed to waive their opinions upon it out of deference to the convenience of any person on the necessities of any party. He assumes that the whole controversy has been settled by the Nebraska bill. President Pierce, in his Inaugural, assumed that a similar controversy in his day, had been settled by the Compromise Measures of 1850. He was the principal agent in falsifying his own prediction, and it is possible for Mr. Buchanan to fall into the same mistake. Whether the Nebraska bill has, or has not, settled the contest concerning the extension of Slavery, will depend entirely upon the fidelity with which its provisions are carried into practical effect: and this again depends upon the action which Mr. Buchanan himself may take in protecting them against invasion.²⁴

Except for the Baltimore Patriot, most of the newspapers surveyed were mildly favorably impressed with Buchanan's inaugural address. There is a note of caution and restraint, none too critical and none too approving. Only the Baltimore American, commenting on the increase of "general confidence," seems to have clearly heard the message Buchanan spoke for it alone seemed to be aware of the "argumentative synthesis" in the address, solid evidence that the synthesis was not vividly expressed. It would seem, however,

²³Savannah Morning Daily News, March 9, 1857.

²⁴New York Daily Times, March 6, 1857.

judging from the mild reaction of most of the papers studied, that Buchanan did manage to produce a calming effect on the press. Perhaps these newspaper reactions indicate that Buchanan had made a start toward peace and stability with the inaugural address.

Something happened on the way to the goal of stability. Buchanan's sincere, allegedly unrealistic, schemes fell apart due to increased bitterness in both sections and to an incredible series of crises. It is no overstatement to mention that few, if any Presidents faced a situation comparable in its gravity. To settle the feud over sectional interests and slavery, and simultaneously to hold the Union together, would require, in addition to a miraculous improvement in the minds of men and a change of circumstances, unusual political, military and rhetorical ability.²⁵

Buchanan's administration lasted from 1857 to 1861, a period racked with violence, an era of shocking and bewildering events. There was the Kansas question alluded to above. There was growing unity around the Republican party standard in the North, resulting in the "emergence" of Lincoln, and motivated more and more by a drive to end "slavocracy" in the South. The Supreme Court's Dred Scott decision was either violently assailed or uproariously applauded, according to the section in which responses occurred. There were John Brown raids in Kansas and Virginia. There was the disintegration of the Democratic Party, signaled by Douglas' defection. Seward issued his "irrepressible conflict" prophecy. Fugitive slave laws

²⁵See Chapter I where references are made to the historian's judgments on President Buchanan's political and military endeavors.

were defied; the defiance led to fatal riots such as the one at Christiana, Pennsylvania. The "Underground Railroad" stepped up its rescue activities. Retaliatory "personal liberty laws" were passed in several Northern states. Uncle Tom's Cabin influenced public opinion North and South, dramatizing sectional differences and underscoring the seemingly insoluble problem of human slavery. In short, these were trying times for all Americans; these were awesome times for President James Buchanan.²⁶

These powerful forces, to the present day student of history, appear as factors in a chain of causes leading to Southern secession and the Civil War. Buchanan's term of office falls into two categories. First, there was the three and a half year period during which he attempted to implement the program sketched out in the inaugural address. His rhetorical activity during this period was largely in the form of annual messages to Congress. Buchanan made no significant rhetorical efforts in direct connection with any of the crises during this period. For example, he made no speech at all concerning the crisis in Kansas although he did take forthright political action by endorsing the Lecompton Constitution. He tended to remain rhetorically aloof from the violent sectional dispute during the first period of his presidency and held to his policy of emphasizing national pride.

In the 1857 Annual Message, Buchanan again attempted to

²⁶ Randall and Donald, The Civil War and Reconstruction, pp. 106-126, vividly summarize this amazing array of events and social forces which played havoc with our nation during the four stormy years of Buchanan's Administration.

distract the public mind by omitting any mention of the Kansas question and focused on the economic Panic of 1857 instead: "Since the adjournment of the last Congress our constituents have enjoyed an unusual degree of health. The earth has yielded her fruits abundantly and has bountifully rewarded the toil of the husbandman We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding . . . , our country in its monetary interests is at the present moment in a deplorable condition." The President went on to briefly recommend a new currency policy designed to control inflation and restore economic stability. But he quickly moved to foreign affairs, again in an effort to transfer the attention of the public from domestic problems to external considerations:

The isthmus of Central America, including that of Panama, is the great highway between the Atlantic and Pacific over which a large portion of the commerce of the world is destined to pass. The United States are more deeply interested than any other nation in preserving the freedom and security of all the communications across this isthmus. It is our duty, therefore, to take care that they shall not be interrupted either by invasions from our own country or by wars between the independent States of Central America Under these circumstances I recommend to Congress the passage of an act authorizing the President, in case of necessity, to employ the land and naval forces of the United States to carry into effect this guaranty of neutrality and protection.

The Annual Message of 1858 was an optimistic report to the nation. Buchanan maintained that the Kansas dispute was at a peaceful end. The economic picture was now bright, the Panic of 1857 having subsided. Then, typically, he spoke of external affairs, seemingly fearing to dwell on internal problems. In general, during the first period of his presidency, Buchanan attempted to quiet sectional passion and build unity and pride founded upon aggrandizement in the Carribean.

When this failed, he entered the critical second phase of his presidential career during the last six months. He tried desperately to prevent secession, save the Union, and preserve peace. By October of 1860, it was evident even to the inveterately optimistic Buchanan that his hopes for achieving his administrative goals were lost. He now had to make desperate efforts to save the Union since his first policies, which included his rhetoric of tranquility, had been unsuccessful. Buchanan's last-ditch rhetorical efforts to save the Union during this crisis of all crises is the subject to be considered in this chapter. These efforts, along with the inaugural address analyzed above, constitute the most significant rhetorical efforts made by Buchanan during his presidential years.

The greatest single rhetorical task of his career confronted Buchanan soon after Lincoln's election had been confirmed in November, 1860. The entire slaveholding South feared Republican ascendancy might mean subjugation at the hands of radical abolitionists because "the Republican Party was now widely misidentified with the abolitionists."²⁷ The Harpers Ferry incident, since it had "strengthened the Republican Party by bringing to a dramatic focus the moral issue of slavery,"²⁸ convinced most Southerners that Republican victory meant John Brown raids all over the South.²⁹

²⁷Allan Nevins, The Emergence of Lincoln, 2 vols. (New York, 1950), II, 104.

²⁸Klein, Buchanan, p. 336.

²⁹Nevins, Emergence, II, 107, speaks of the ". . . wave of anger and fear, throwing up its surf of hysteria (which) rolled across the South. . . ." following the raid at Harpers Ferry.

An indication of the seriousness of the situation can be found in a letter Howell Cobb, Georgia unionist in Buchanan's cabinet, wrote to his wife in October, 1860: "Georgia moved not to stand for the election of Lincoln. Regard that a fixed fact."³⁰ Buchanan himself had written, "Should Lincoln be elected, I fear troubles enough though I have been doing all I can...to prevent them."³¹ A Georgia politician exclaimed helplessly: "The voice of the North has proclaimed at the ballot box that I should be a slave!"³²

South Carolina posed the most immediate threat to Buchanan's peace strategy: "The legislature of South Carolina, assembled at Columbia for the choice of presidential electors, received a communication from Governor Gist recommending that, in case of Lincoln's election, steps be immediately taken for summoning a convention of the sovereign people of the state for the purpose of severing their connection with the United States."³³ It is perhaps impossible for posterity fully to appreciate the anxieties Buchanan and his Cabinet experienced during that turbulent period. "We view it complacently as a record of events, past and settled. But the future was not revealed to the anxious men who stood in those days at the helm. They saw only the beginning, but not the end."³⁴ But Buchanan

³⁰Howell Cobb to wife, October 10, 1860, Klein, Buchanan, p. 351.

³¹Buchanan to Hiram Swarr, October 3, 1860, Ibid.

³²Henry Hull, Annals of Athens, 1801-1901 (Athens, Ga., 1906), p. 271, cited in Brigance.

³³Randall and Donald, The Civil War and Reconstruction, p. 135.

³⁴William Norwood Brigance, Jeremiah Sullivan Black (Philadelphia, 1934), p. 76.

remained composed, outwardly at least, and set about preparing his momentous Annual Message to Congress. He prayed it would be sufficient, that it would in some way extricate the country from the snare of disunion and keep the peace.³⁵

While Buchanan was preparing his Annual Message for 1860, other politicians were busily drawing up compromise solutions. The House of Representatives had a "Committee of Thirty-Three" charged with the responsibility of searching for peaceful schemes. The House committee was handicapped by the attitude of radical Republicans and Southern Democrats. Because of party friction, cooperation was impossible. In the other house, the Senate appointed a "Committee of Thirteen," including John J. Crittenden of Kentucky, William H. Seward of New York, Stephen A. Douglas of Illinois, and Jefferson Davis of Mississippi. The committee drafted a compromise called the Crittenden Plan. The Crittenden scheme, drawn up in December of 1860, called for the prohibition of slavery North of the 36° 30' line and guaranteed federal protection of slavery South of that line. It was an attempt to re-establish the Missouri Compromise of 1820 but the plan was defeated by the opposition of Republicans and the scheme was never reported from committee. A plan similar to the Crittenden Compromise was sponsored by politicians from Virginia. The Virginia Peace Convention convened in Washington in February, 1861, at the same time a convention was held in Montgomery for the formation of the Confederate States of America. The congressional committees and the Virginia Conference all failed because

³⁵Curtis, II, 337.

of the insurmountable conflict between radical leaders, both North and South, who seemingly would not tolerate compromise. Buchanan would appeal to moderate groups who, he hoped, desired compromise.

Buchanan kept in close touch with the events in South Carolina. While Charleston was the scene of busy men at work wrecking the Union, Buchanan was hard at work in Washington trying to save it. He met with his whole Cabinet frequently and with at least one or two individual members daily. Through Secretary of War Floyd's diary, glimpses of the President's feverish activities during the fateful autumn days of 1860 are provided. Floyd described a grave meeting held November 9, 1860.

A Cabinet meeting was held as usual at one o'clock; all the members were present, and the President said the business of the meeting was the most important ever before the Cabinet since his induction into office. The question he said which was to be considered and discussed, was the course to pursue in relation to the threatening aspect of affairs in the South especially in South Carolina. After considerable amount of desultory conversations, he asked the opinions of each member of the Cabinet as to what should be done or said relative to a suggestion which he threw out. His suggestion was that a proposition should be made for a general convention of the States as provided for under the constitution, and to propose some plan of compromising the angry disputes between the North and South. He said that if this were done, and the North or non-slaveholding States should refuse it, the South would be justified before the whole world for refusing longer to remain in a Confederacy where her rights were so shamefully violated. He said that he was compelled to notice at length the alarming conditions of the country, and that he would not shrink from his duty.³⁶

The idea of a constitutional convention was not original with Buchanan but he saw in it the only means to "override congressional politics, bring popular sentiment to the forefront, and succeed in averting disunion."³⁷

³⁶Edward A. Pollard, Lee and His Lieutenants (New York, 1867) pp. 791-793.

³⁷Klein, Buchanan, p. 358.

Buchanan consulted the cabinet over and over. He sought legal advice of Attorney Jeremiah S. Black since his forthcoming public pronouncement would involve at least two legal problems: (1) the right of secession, and (2) the authority to coerce a state.³⁸ He met with a delegation from South Carolina and gave them an advance copy of his message to be delivered to Governor Gist.³⁹

Although Buchanan solicited advice and opinion from Cabinet members, Floyd and Black in particular, the document sent to Congress on December 3, 1860, was the President's alone. Obviously, as Chief Executive, he would of necessity bear total responsibility for it. But there was more than responsibility involved. The message was largely his own since he made the decisions about what ideas were to be included. Further, the assistance he received from faithful cabinet members was in the form of legal and evidential support for arguments he himself conceived. It is not because of Black's opinion, that no legal justification for secession existed in the Constitution, that Buchanan took such a view toward separation. He was already opposed to secession and merely needed the concurrence of a sharp legal mind such as Black's to confirm his position. Brigance has made an interesting observation with respect to Buchanan's alleged weaknesses and utter dependence upon his advisers: "He was not a weak, vacillating, or doddering old man. His weakness lay in going to the extreme. He was determined to run his whole administration,

³⁸See Brigance, pp. 84-91, for a discussion of the legal points on which Buchanan sought advice from the Attorney General.

³⁹Auchampaugh, p. 136.

to be his whole cabinet. He neglected to counsel with or take the advice of his advisers as much as he might have done. He prided himself upon his statecraft, felt himself more experienced than his constituted advisers, and therefore without need of their counsel. Before the secession of South Carolina one may probe in vain to find the change of weakness."⁴⁰ Although he consulted his advisers more frequently during the crisis of 1860-61 as noted above, it is not likely that he suddenly succumbed to the whim of his subordinates. Rather, it seems more likely that he should be given major credit for the message, realizing of course that the document was no doubt strengthened for having been tested so often by the whole cabinet.

The Message, a lengthy and detailed written analysis of the secession crisis which was the customary form in those days, was delivered to Congress December 3, 1860.⁴¹ The first topic discussed, revealing the speaker's grasp of the urgency of the matter, was what he considered to be the prime cause of the alarming state of the nation. Buchanan, with uncharacteristic vehemence, indicted Northern abolitionists for creating fear and domestic unrest: "Why is it, then, that discontent now so extensively prevails, and the Union of the States, which is the source of all...blessings, is threatened with destruction? The long-continued and intemperate interference of the Northern people with the question of slavery in the Southern States has at length produced its natural effects. The different sections of the Union are now arrayed against each

⁴⁰Brigance, p. 73.

⁴¹Moore, XI, 7-54

other, when hostile geographical parties have been formed." The South could have endured the exclusion of slavery from the territories and could have suffered the continued abuse of the fugitive slave law: "The immediate peril arises not so much from these causes as from the fact that the incessant and violent agitation of the slavery question throughout the North for the last quarter of a century has at length produced its malign influence on the slaves and inspired them with vague notions of freedom. Hence a sense of security no longer exists around the family altar. This feeling of peace at home has given place to apprehension of servile insurrections Should this apprehension of domestic danger, whether real or imaginary, extend and intensify itself until it shall pervade the masses of the Southern people, then disunion will become inevitable." He then maintained that moral responsibility with respect to the slavery question resided in each sovereign state and that the Northern states "are no more responsible and have no more right to interfere with them than with the similar institutions in Russia and Brazil."

Buchanan, showing a rare capacity for expressing his feelings and appreciating the feelings of others, continued to lay the blame on Northern agitation. It is surprising that he not once, however, considers the feelings of black men under the yoke of slavery. It was this obvious shortsightedness which infuriated Northern humanitarians. His attack on Southern secessionists, however, may have partially soothed ruffled feelings.

The issue of importance next to external agitation was secession founded on false fears: "The election of any one of our

fellow-citizens to the office of President does not of itself afford just cause for dissolving the Union." He tried to assure radical Southerners that the incoming President would be conservative. Furthermore, Lincoln would be handcuffed by the legislative branch just as he had been during these trying times. The President can only execute the laws the legislature passes, he held. Congress could not pass laws detrimental to the South "if" the Southern states decided to keep their representatives in Washington where they could block injurious acts. He advised the South that the Republican could not act precipitously because it would have a "minority president, a minority in both houses of Congress and a minority on the Supreme Court."⁴² Wait, he said, until the new administration should provoke "some overt and dangerous act."

At this point, Buchanan inserted a dangerous notion which may have released secessionist leaders from any moral commitment to the Union. Should the new government violate its obligations of friendship, "the injured States...would be justified in revolutionary resistance to the government of the Union." Buchanan cited precedence for revolution in American history. After all, the nation was born by means of reform through violent overthrow of an unsatisfactory government. Southerners may have felt that inflammatory abolitionist activity and raids of the John Brown variety were reason enough for resorting to revolution, peaceful revolution, by means of secession.

Buchanan hastened to add that even injury at the hands of

⁴²Klein, Buchanan, p. 361

Lincoln gave the South no "right of secession." At this juncture, the President embarked on an exhaustive argument supporting the perpetual nature of the government of the United States:

In order to justify secession as a constitutional remedy, it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties....Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. After it was formed with the greatest deliberation and care it was submitted to conventions of the people of the several States for ratification....In that mighty struggle between the first intellects of this or any other country it never occurred to any individual, either among its opponents or advocates, to assert or even to intimate that their efforts were all vain labor, because the moment that any State felt aggrieved she might secede from the Union. What a crushing argument would this have proved against those who dreaded that the rights of the States would be endangered by the Constitution!

The idea was never advanced until the nullification crisis in 1833. Here Buchanan quoted Jackson's message of January 16, 1833, in support of the theme that the federal government "was intended to be perpetual, and not to be annulled at the pleasure of any one of the contracting parties." Buchanan had then answered the first question posed by the secession crisis: "Was secession legal?"

No, secession was illegal. A dilemma faced the nation: Agitation produced anger and fear but secession provided no constitutional remedy. Could the President provide a cure? No! He proceeded to give an able explanation of why the President is powerless to coerce a state to remain in the Union. Thus, Buchanan proceeded to answer the second question posed by the secession crisis: "Can a state be coerced to remain in the Union?"

Buchanan maintained that he had taken an oath to execute the laws of the land but there were no laws, common or statutory,

giving him the legal right to prevent a state from seceding. Furthermore, he was handicapped in South Carolina from executing his duty with respect to the ordinary legal affairs of government because all federal officials in that state had resigned. It was all he could do to see that federal import duties were collected at Charleston harbor: "In fact, the whole machinery of the Federal Government necessary for the distribution of remedial justice among the people has been demolished, and it would be difficult, if not impossible, to replace it." Such machinery could be replaced in South Carolina only by the passage of new laws or by the use of dictatorial military force. Buchanan would not employ force even if statutes gave him the power. Could Congress, then, make war on a state?

Buchanan answered that question forcefully, by saying "that the power to make war against a State is at variance with the whole spirit and intent of the Constitution.... We could not, by physical force, control the will of the people and compel them to elect senators and representatives to Congress.... Our Union rests upon public opinion, and can never be cemented by the blood of its citizens shed in civil war. If it cannot live in the affections of the people it must one day perish. Congress possesses many means of preserving it by conciliation; but the sword was not placed in their hand to preserve it by force." The nation, then, under this interpretation, could exist only when its parts have faith in the system and are committed to the constitutional ideal. Buchanan in these words had struck the chord that he hoped would resound across the country and preserve the nation. The answer lay in

congressional conciliation. Congress, and only that branch of the federal government, had the power to save the Union peacefully.

Before presenting his program of congressional conciliation, Buchanan made an eloquent plea for peace over war:

But may I be permitted solemnly to invoke my countrymen to pause and deliberate before they determine to destroy this the grandest temple which has ever been dedicated to human freedom since the world began? It has been consecrated by the blood of our fathers, by the glories of the past, and by the hopes of the future. The Union has already made us the most prosperous, and ere long will, if preserved, render us the most powerful, nation on the face of the earth. In every foreign region of the globe the title of American citizen is held in the highest respect, and when pronounced in a foreign land it causes the hearts of our countrymen to swell with honest pride. Surely when we reach the brink of the yawning abyss we shall recoil with horror from the last fatal plunge.

This was the measure of Buchanan's devotion to Union and peace.

Buchanan asked Congress to call a constitutional convention for the purpose of drafting an "explanatory amendment" to the Constitution on the subject of slavery. This might originate with Congress or with the State Legislatures, as might be deemed most advisable to attain the object. The explanatory amendment might be confined to the final settlement of the true meaning of the Constitution on three special points:

1. An express recognition of the right of property in slaves States where it now exists or may hereafter exist.
2. The duty of protecting this right in all the common Territories throughout their Territorial existence, and until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.
3. A like recognition of the right of the master to have his

slave who has escaped from one State to another restored and "'delivered up'to him." The President added that this convention should be called and the amendment devised before any of the Southern states "separate themselves" from the Union. Finally, Buchanan concluded that "such an explanatory amendment would, it is believed, forever terminate the existing dissensions, and restore peace and harmony among the States." Thus, on this note of extreme optimism, James Buchanan ended the most important rhetorical effort of his career.

Aside from pulling the "checkrein" on extremists on either side, the crux of the message was built on a constitutional flaw: the Constitution laid down no right for either secession or coercion. By Buchanan's logic, only an explanatory constitutional amendment could interpret the document with respect to the crisis and at the same time "forever terminate the existing dissensions" and restore peace.

From the foregoing discussion, it seems apparent that Buchanan was in a rhetorical cul-de-sac. Given his fundamental belief in the Constitution as the higher law, given the dilemma imposed on him by his constitutional interpretation, it is obvious that the range of possible rhetorical avenues open to him was limited. Because of his convictions, Buchanan precluded his becoming rhetorically imaginative and innovative at a crucial point in American history, at a time when fresh and dramatically new ideas and different amalgamations of old ideas were desperately needed. Buchanan's premises severely handicapped his freedom of rhetorical thought.

Response to the message ranged from high praise to severe

censure. Most of the papers favoring Lincoln condemned it, remarking disdainfully that never had a message been "cast aside with such unqualified disappointment." Some said Buchanan's accusations against abolitionists constituted a "brazen lie" and an "atrocious perversion of the truth." Breckinridge supporters commended Buchanan, calling his message, a "calm, patriotic, consistent and convincing" analysis of the problem, full of "energy, decision and moderation."

Most of Buchanan's severest critics have complained that he was guilty of avoiding responsibility by shifting it to Congress. In his behalf, it must be pointed out that he feared any aggressive executive action. Without legal sanction provided by Congress, overt military preparedness measures might provoke immediate war. Strong-arm actions, such as dispatching military reinforcements to federal installations in the South, would, he felt, be met with armed resistance. But to complain of the lack of positive military action on Buchanan's part is to miss the whole point of his thinking. Buchanan was not Andrew Jackson (there could be doubt that even Jackson in his prime would have taken a forthright and militant position on the secession crisis of 1860-1861-- the political atmosphere of 1860 was far more dangerous than that of the nullification crisis of 1833). He was not a man of action but a man of words. He was bred on debate and compromise. The primary discovery in this dissertation is that Buchanan was a lawyer transported from the courtroom to the halls of Congress, the State Department, foreign embassies, and finally the White House. Taking a legal approach to all problems was his very nature. To him, there was no way to approach the secession crisis but as he had approached all issues he had met earlier in his career.

In this greatest of all crises, Buchanan tried to lift himself up to the highest level of rhetorical statesmanship. It may be true that he angered abolitionists and secessionists but it was to neither of these groups that he addressed himself. Buchanan knew that his message of December, 1860, would be printed in every newspaper of the country and that his words would receive wide coverage on editorial pages across the nation. He was speaking to those millions of men and women who would read it calmly and respond with an unbiased mind to his compromise proposals. It was this group, the people of the uncommitted border states and the Union sympathizers North and South, who held the fate of the nation in their hands. A constitutional convention would have to be supported by the middle of the road voting block in which some believe the vast majority of the voters belonged.⁴³ Further, Buchanan could better appeal to those who put peace first after having registered refusal to side with either the radical abolitionists or secessionists.

Rhetorically speaking, Buchanan's message was aimed at the only audience which could save the Union and preserve peace. He realized that Congress was so riddled with political passion that it could not act under its own energy. Congress would have to be prodded into action by the great mass of people opposed to war. It was for this reason that Buchanan mentioned the two means of calling a constitutional convention. If Congress refused, then

⁴³Klingberg, p. 455. See the following for summaries of divided opinion: Avery Craven, The Repressible Conflict, 1830-1861 (Baton Rouge, 1939), pp. 1-30; Carl Russell, The American Civil War (New York, 1937), pp. 69-70, 75-78; Wood Gray, The Hidden Civil War (New York, 1942), pp. 13-20.

the people within the states could sponsor a movement and demand a convention.

What is more, the message was rhetorically well suited to the particular audience chosen. The audience who could supply the remedy must of necessity be amenable to reason; otherwise, reasoned the President, it would be associated with either one or the other of the opposing parties. Buchanan's message was a discourse founded upon reason and good sense. Buchanan dissociated himself from the fanatics and pled for compromise. For once in his life, Buchanan was the right kind of man for the right audience.

Exception can be taken with his political decision to seek a compromise rather than coerce seceding states, although it is difficult to find fault with a peacemaker. Buchanan can be condemned for his failure to take a more humanitarian view of slavery. However, once the argument subsides over his momentous decision to conciliate, one must admire how well he spoke for the cause in which he believed. Both the Inaugural Address and the Fourth Annual Message are masterful rhetorical efforts and are among the finest examples of applied rhetoric in the cause of peace exhibited during our history.

That seven Southern states seceded before Lincoln's inauguration, that war broke after the Charleston crisis, none of these fateful consequences detracts from Buchanan's finest rhetorical hour. After forty years of public speaking, much of it dull, inappropriate, and inept, Buchanan managed to achieve at the right moment a rare state of rhetorical excellence. Even the fact that his rhetoric would of necessity have been wanting had the situation

demanding another speech approach, should not be allowed to deprecate the reputation of that dedicated public functionary who has already suffered extensively at the hands of moralizing critics. Twice in four years, on occasions perhaps the most momentous in our history, Buchanan stood up and spoke with all his heart, mind, and soul for what he believed in, and both times he spoke well.

Buchanan terminated his presidency on an unhappy note. His plea for a national convention failed:

Importuned, threatened, warned, begged, pushed, pulled, and shoved in every direction, bombarded by plans and propositions until he resentfully complained that he had not time even to say his prayers, the president at length became distraught and despaired of achieving a solution. His two chief hopes--that conservative Republicans might give a little help and that his erstwhile southern friends might continue to trust his pacific intentions--both blew up in his face at once. He believed that he and his Administration no longer spoke for any political party. The only two organized parties, the inflexible secessionists and the unyielding Republicans, controlled the issue. Their leaders offered no quarter. Their representative in Congress united their votes to prevent the registration of the public opinion in a convention and to prevent the President of the United States from obtaining any legal means to handle the crisis. There was no New Year's Eve jollification at the White House, December 31, 1860.⁴⁴

And yet, he managed somehow to cling to the hope of compromise. Even the evident failure of the Crittenden Compromise, the Virginia Peace Convention, and the Committee of Thirteen failed totally to dampen his flickering hopes.

On January 8, 1861, Buchanan made one last rhetorical bid to save the Union. He sent a special message to Congress detailing the negotiations he had had with the commissioners of South Carolina. He apprised Congress of South Carolina's unwillingness to agree

⁴⁴Klein, Buchanan, p. 387.

to an amicable settlement and repeal the articles of secession.

He spoke gravely of the state of the nation:

When congress met, a strong hope pervaded the whole public mind that some amicable adjustment of the subject would speedily be made by the representatives of the States and of the people, which might restore peace between conflicting sections of the country. That hope has been diminished by every hour of delay; and as the prospect of a bloodless settlement fades away, the public distress becomes more aggravated. Once again he cited the constitutional paradox--there was neither legal right to secession by any state nor clear authority to prevent it: "My purpose is to execute and not make the laws. It belongs to congress, exclusively, to repeal, to modify, or to enlarge their provisions, to meet emergencies as they may occur," he repeated.

At this point, Buchanan made his last plea for conciliation by supporting the Crittenden resolution then before Congress: "A common ground on which conciliation and harmony can be produced is not unattainable. The proposition (Crittenden Compromise) to compromise by letting the North have exclusive control of the territory above a certain line, and to give Southern institutions protection below that line, ought to receive universal approbation. In itself, indeed, it may not be entirely satisfactory; but when the alternative is between a reasonable concession on both sides and a destruction of the Union, it is an imputation upon the patriotism of Congress to assert that its members will hesitate for a moment." Buchanan hoped, should the nation hesitate for a moment, that the moment might be extended indefinitely. He hoped that during an indefinite postponement passions would subside and the crisis disappear. Lincoln was to find that such was not the case.

CHAPTER VII

CONCLUSIONS

The speeches, messages, and diplomatic dispatches studied in this work have yielded knowledge about the rhetorical thought and practices of James Buchanan. Selected specimens of his applied rhetoric have been criticized for the purpose of determining how well Buchanan adapted his ideas to specific audiences. Critical conclusions concerning each career segment have been set forth at the end of each of the preceding chapters. All conclusions will not be reiterated here but the significant findings will be incorporated into an overview statement.

Final Appraisal of the Advocate

There are exceptions, perhaps, to each of the general conclusions regarding Buchanan's advocacy but certain characteristics stand out nonetheless. One quality of Buchanan's speaking is difficult to deny: Buchanan was above all, a legalistic speaker in politics and diplomacy. He spoke as a lawyer pleading a case for a client most of the time. His very first speech in Congress was in support of John C. Calhoun and in behalf of William Lowndes. In the Senate he spoke for Jackson. He advocated the expansionist views of President Polk while Secretary of State, most notably in connection with the Oregon question. As President, James Buchanan chose to advocate the interests of the uncommitted, the moderate unionists North and South. But the "advocate" appellation is justified for a better reason.

Buchanan's rhetoric was cast in the legalistic frame for the most part. By inclination and training, he thought, spoke, and wrote as a lawyer most of the time. He saw the legal issues in his opponent's case and attacked them. He supported his own case with laws established by precedent, by statute, and primarily by the Constitution. Buchanan, then, was an advocate in the legal sense of the term.

Further, Buchanan sought legal solutions to practically all problems. Calhoun's overspending should have been accepted and agreed to by the House, claimed Buchanan, because there was precedent for financing administrative deficits. Besides, Calhoun had merely obeyed the laws of Congress in the administration of the War Department. The answer to the problem was to be found in law. The answer to the secession crises had to be postponed for the lack of law. The solution to the salvation of the Union was in the passage of an amendment to the Constitution, the supreme law of the land. Buchanan was unquestionably an advocate in the legal sense.

Buchanan's adherence to law as the guiding principle to the solution of all social and political problems of necessity led him to seek compromises throughout his career. A well ordered society depended upon a system of just laws. The role of the politician in such a society would be to promote harmony through compromise. Perhaps Buchanan's highest moral value was social equilibrium. His propensity for harmony through compromise became more evident during his years of maturity. Certainly his penchant for peace and quiet was evident during the Oregon crisis of 1845 and reached its pinnacle during the secession crisis of 1860-61. Yet, as a young man,

Buchanan depended upon compromise to reach agreement on a commercial treaty between the United States and Russia. Buchanan should be remembered as a rhetorical compromiser.

Buchanan's rhetoric of legalism and compromise was complemented by his reliance on rhetorical formulae. Early in his career he followed the "Lowndes formula" as described in Chapter III. He continued to pattern after the Lowndes mode in the Senate. Although Buchanan used the formula less rigidly, Lowndesian principles were still to be found in his speaking and writing during the sixties. The one tenet of the "Lowndes formula" he never abandoned was the principle of speaking at the moment of rhetorical climax. He postponed his compromise proposal regarding secession until he felt the vital turning point had been reached in public opinion. The imminent secession of South Carolina signaled to Buchanan that the nation was in a state of bewilderment. At that moment he hoped he could polarize public thought around the ideal of unionism and offered a constitutional amendment as a vehicle for the expression of moderate views, views supported by reason and freed from factious and sectional contamination.

The rhetorical characteristics of legalism, compromise, and formula, helped to create an ethos of dependability, prudence, justice, and fairmindedness. It was this ethical portrait, carefully sketched through years of tedious congressional and diplomatic speaking, which appealed to his party and to the nation in 1856. Not a single intelligent voter in that election doubted the seriousness of the national predicament. The voters wanted to turn to a well trained,

experienced, skilled, and above all, safe, leader in 1856. This sense of need called for the rhetoric of James Buchanan. He is remembered as an advocate, who put his trust in law and compromise, who spoke according to sensible formulae and who ever stood for cautious, rather than precipitate, action.

The above description was not intended to be evaluative. The substantive chapters in this study lead the writer to conclude, however, that it is an accurate description. Those same chapters have also revealed certain strengths and weaknesses in the rhetoric of James Buchanan.

Buchanan was a strong advocate. Few could equal his ability to analyze a subject, logically construct a case, and adapt it to the arguments of opponents. Perhaps no other speaker in the Democratic Party said more to convince the Senate that the censure of Jackson was unwise and illegal. The letter to Packenham presenting the American claim to the title of all Oregon was an argumentative masterpiece. Many have admired the Annual Message to Congress of December 3, 1860, for its brilliant analysis of the constitutional dilemma regarding secession and coercion. Buchanan might have made a great jurist.

One must admire the industry evidenced in the advocacy of James Buchanan. His tremendous knowledge of cases could have come only from tireless research. His capacity for hard work, shown in every speech considered in this study, reveals Buchanan's keen sense of the moral responsibility he felt toward himself and his audience to be well prepared. This, he must have decided, was the most important obligation a speaker has.

Being well prepared was part of his ethical appeal and helped to contribute to his reputation for fairmindedness. Buchanan was basically honest; he showed great skill throughout his lifetime of convincing listeners of his good intentions. Strong advocacy, hard work, and the ability to stir feelings of respect and confidence seem to be strong points in the rhetoric of James Buchanan.

There were, however, serious weaknesses in Buchanan's rhetoric. Perhaps the greatest of these was the rigidity and inflexibility noted especially in Chapters IV and V. Because of his legalistic bent, and his somewhat blind adherence to the "Lowndes formula," he was unable to adapt to a situation that called for special insight into audience analysis and adaptation. Buchanan seemed incapable or unwilling to understand the psychology of the Whigs. He showed no recognition of the needs, drives, and motives of his audience. Instead, Buchanan would appear to be guilty of the same thing Black attributes to the neo-Aristotelian critics: "The tendency to assume the rationality of audiences."¹

Buchanan too viewed audiences as being highly rational. He therefore used the logical approach inflexibly, eschewing psychological appeals. Of course, there is a psychological principle in the "Lowndes Formula" which calls for the identification of rhetorical climax. Buchanan was adept at spotting psychological turning points, but it is likely he regarded them as intellectual pivots. In any case, he treated audiences the same whether at the argumentative climax in a debate or not and for the most part he appealed to the

¹Black, p. 34.

intellectual side of listeners rather than their emotional, whatever the circumstances might have warranted. Usually, the intellectual and the legal aspect of a case were identical. Buchanan parted from the strict logical approach on occasion, most notably in his inaugural address to be discussed below.

Buchanan showed rigidity in his interpersonal dealings with President Polk. In Chapter V, it was noted that the Secretary of State refused to alter his rhetorical method in attempting to convince Polk to take a cautious approach toward Great Britain over the Oregon question. It is ironic that during the Oregon crisis Buchanan knew his audience intimately but still failed to make adjustments in light of this knowledge. Even though he was aware that agitation only provoked Polk, making him more and more intransigent, Buchanan never employed a different method. In this instance, Buchanan's inflexibility is difficult to explain. Was Buchanan truly without additional rhetorical resources? Was he hopeful, even after eighteen months of failure, that he might eventually break through the President's defenses? Or, was Buchanan merely matching Polk's obstinance with stubbornness of his own? Whatever the reason, the episode shows extreme rhetorical ineptitude on Buchanan's part. The failure was critical in view of the explosive relationship existing between the United States and Great Britain at the time.

Buchanan's devotion to Lowndesian rhetoric imposed another strict limitation on his rhetorical usefulness although it was well suited to his experience and purposes. Buchanan, as noted above, stood for caution and prudence. Generally, he took adamant stands

regarding issues only when political expedience required it. For example, his decision to attack the politics and character of John Quincy Adams was motivated by political necessity--he had to announce to his constituents his leap from the Federalist to the Democratic party. On most occasions, however, Buchanan tried to keep himself above factious issues by hiding behind an impersonal argument which he hoped would be appealing to all parties. Usually, this argument was rooted in reverence for the Constitution.

Naturally, because of his "statesmanship" posture, facilitated by the "Lowndes formula" Buchanan was not a crusader. The decision to be a statesman rather than a reformer is not a matter of rhetoric. But the quality of Buchanan's rhetorical thought, expressed best in this faith in the efficiency of the "Lowndes formula," is conclusive evidence that he could not have been an effective reformer even if he had so desired. The point here is that Buchanan's rhetoric restricted his political behavior and forced him into the non-reforming mold. It is not surprising that Buchanan has not been remembered as an originator of grand schemes for the improvement of mankind. Buchanan, though he loved his fellowman, was incapable of humanitarianism, hindered as he was by his rhetoric which was grounded in maintaining the status quo. Buchanan, therefore, never gave birth to ideas, never provided new solutions. He was a servant of the Constitution and he served it chiefly by means of the conservative rhetoric of the "Lowndes formula." Buchanan believed the social problems of his age would right themselves as long as men were restrained by the rhetoric of the status quo. Unfortunately, he lived

during a time of social revolution, a time which begged for flexible approaches to rapidly changing problems.

The charge of rhetorical inflexibility is a serious criticism, especially in light of the need for adaptability during the turbulent period of Buchanan's presidency. This negative criticism must be somewhat softened, however, by the effort Buchanan made to change a lifetime of rhetorical habit on important occasions while President.

Buchanan demonstrated what was for him unusual rhetorical insight in his Inaugural Address in 1857. Buchanan offered a nation torn by internal strife a unifying theme. Instead of focusing upon the charges and countercharges cast by abolitionists and secessionists, instead of taking sides in this explosive dispute, he attempted to call attention to the higher principle of unionism. He tried to distract the people of both sections from extremist themes to a universal theme of national pride. Black would refer to this technique as "argumentative synthesis," that is, "a conceptual synthesis that absorbed both the original theses and its anti-thesis."² For once, Buchanan faced an ideal situation with idealistic realism and did not hide behind legal abstractions. He advocated the abstraction of unionism but he forthrightly committed himself to it and tried to make it concrete.

For any speaker to conceive of the idea of solving a serious dispute by means of argumentative synthesis is a remarkable thing. But for Buchanan, accustomed by a life time of habit and experience to become involved in the legal aspect of issues, it was even more

²Ibid., p. 156.

remarkable. Of course, the universal theme Buchanan offered was either not the most appropriate one or he failed to make it sufficiently vivid and appealing, and for this he must be downgraded. He lacked the ability to dramatize his ideas, which is primarily a matter of style. The December 3, 1860, Message to Congress can also be criticized on the basis of a lack of vitality. Nonetheless, the objectives of both rhetorical efforts were well-intentioned and well conceived. Buchanan's exhortation techniques were not nearly as well refined as his argumentative ones.

In summary, James Buchanan had an amazing talent for argumentation. However, except for a last minute effort to adapt to a rhetorical situation requiring unusual persuasive gifts, he was an inflexible, monorhetorician. If a situation demanded his kind of rhetoric, no one was more proficient in meeting that demand. When the situation called for another rhetorical approach, Buchanan did not or could not make the effort. It is unfortunate that it took the greatest crisis in our nation's history to force a change in his rhetorical thought. Perhaps, if he could have been moved to experiment as a younger man, he might have been able to bend his fine mind toward the development of a multirhetoric of power and influence. Why this did not happen is something that cannot be definitively answered here. In any case, it is regrettable that a man of such remarkable talent should have developed his rhetorical powers within such narrow boundaries.

Value of Study

Historians and biographers have illuminated the life and

career of James Buchanan; they have focused especially on the last few months of his presidency. But one aspect of the man, his role as public persuader, has been almost entirely neglected. This study was designed to repair this deficiency.

Instead of taking the usual historical approach, however, the speaking of James Buchanan has been subjected to critical analysis. The major accomplishment of this work is that the writer has attempted to go beyond accurate recording, analysis, and interpretation. The writer has obeyed the final expectation of the critic--he has passed judgment on the quality of one man's rhetoric. The evaluation of Buchanan has not been the result of impressionistic criticism. Instead, it is believed the critical conclusions drawn here may be verified by other critics.

The study has value in that its standards have been derived from the orientation of the critic, from the purposes of the speaker, and from scholars in the field of rhetoric who have discovered criteria for the judgment of advocacy.

Throughout the study, one fundamental principle of rhetorical theory has been rediscovered. Because of Buchanan's ineptness at audience analysis and adaptation, the writer concludes that modern rhetoricians are correct when they insist that speakers go beyond analysis of the stock issues. We must take the path charted by Burke and Richards and learn more about human motivation, more about human needs, and the abiding mystery of the oral communication act. Without more extensive study in these areas, we will never fully understand audiences or speakers. We must better understand hidden

mechanisms and how they operate better. The art of rhetoric will have fully matured. We need a modern rhetoric strengthened by the knowledge afforded in psychology, sociology, and linguistics. We need more sophisticated tools of analysis and interpretation. We must educate speakers to think beyond superficial issue analysis. Argumentation is important; significant strides have been made in understanding logical appeals. There is still much to learn about human motivation, however, in the context of speakers and listeners interacting. This insight is mandatory if speakers are to know how to achieve maximum effect as they attempt to adjust ideas to audiences and audiences to ideas.

BIBLIOGRAPHY

Public Documents

- Great Britain, Hansard's Parliamentary Debates. (3d series).
(Lords.) Vol. LXXIX.
- United States. Annals of Congress, 15 Congress, 2 Session, 1818-1819; 17 Congress, 1 Session, 1821-1822; 2 Session, 1822-1823.
- United States. Congressional Record, Vol. 56, part 8.
- United States. Register of Debates. 19-20, 23 Congresses, 1825-1835.

Books

- Auchampaugh, Philip G. James Buchanan and His Cabinet On the Eve of Secession. Lancaster, Pennsylvania: Privately printed, 1926.
- Benton, Thomas Hart. Thirty Years' View. 2 vols. New York: D. Appleton and Company, 1854-1856.
- Black, Edwin. Rhetorical Criticism: A Study in Method. New York: The Macmillan Company, 1965.
- Bowers, Claude G. The Party Battles of the Jackson Period. Boston: Houghton Mifflin Company, 1922.
- Brigance, William Norwood. Jeremiah Sullivan Black: A Defender of the Constitution and the Ten Commandments. Philadelphia: University of Pennsylvania Press, 1934.
- Burgess, John William. The Civil War and the Constitution. 1859-1865. 2 vols. New York: C. Scribner's Sons, 1901.
- Craven, Avery. The Repressible Conflict, 1830-1861. University, Louisiana: Louisiana State University Press, 1939.
- Curtis, George Ticknor. Life of James Buchanan. Fifteenth President of the United States. 2 vols. New York: Harper and Brothers, 1883.
- Duflot de Mofras, Eugene. Travels on the Pacific Coast. Santa Ana, California: The Fine Arts Press, 1937.

Dictionary of American Biography. Dumas Malone, ed. New York: Charles Scribner's Sons, 1935. Vols. XI-XII.

Ehninger, Douglas, and Brockriede, Wayne. Decision by Debate. New York: Dodd, Mead and Company, 1963.

Fish, Carl Russell. The American Civil War. New York: Longmans, Green and Company, 1957.

Gray, Wood. The Hidden Civil War: The Story of the Copperheads. New York: The Viking Press, 1942.

Graebner, Norman A. Empire on the Pacific: A Study in American Continental Expansion. New York: Ronald Press Company, 1955.

Hammond, Bray. Banks and Politics in America. Princeton, New Jersey: Princeton University Press, 1957.

Hensel, W. U. James Buchanan as a Lawyer. Lancaster, Pennsylvania: Pennsylvania Law Review, 1912.

Hilman, Franklin P. Diplomatic Career of James Buchanan. Ph. D. thesis, George Washington University, 1952.

Howe, Mark Antony DeWolfe. The Life and Letters of George Bancroft. New York: C. Scribner's Sons, 1908.

Klein, Philip Shriver. President James Buchanan: A Biography. University Park, Pennsylvania: The Pennsylvania State University Press, 1962.

Kraus, Michael. A History of American History. New York: Farrar and Rinehart, Incorporated, 1937.

Lott, Davis Newton. The Presidents Speak: The Inaugural Addresses of the American Presidents from Washington to Kennedy. New York: Holt, Rinehart and Winston, 1961.

Lunt, W. E. History of England. 4th ed. New York: Harper and Row, Publishers, 1956.

Moore, John Bassett. The Works of James Buchanan, Comprising His Speeches, State Papers, and Private Correspondences. 12 vols. Philadelphia: J. B. Lippincott Company, 1908-1912.

Nevins, Allan. The Emergence of Lincoln. 2 vols. New York: Charles Scribner's Sons, 1950.

- Nichols, Marie Hochmuth. Rhetoric and Criticism. Baton Rouge, Louisiana: Louisiana State University Press, 1963.
- Nichols, Roy Franklin. The Disruption of American Democracy. New York: The Macmillan Company, 1948.
- Nicolay, John George and Hay, John. Abraham Lincoln: A History. 10 vols. New York: The Century Company, 1917.
- Ogg, Frederic Austin. The Reign of Andrew Jackson. New Haven, Connecticut: Yale University Press, 1919.
- Polk, James Knox. The Diary of James K. Polk. 4 vols. Chicago: A. C. McClurg and Company, 1910.
- Poore, Benjamin Perley. Perley's Reminiscences of Sixty Years in the National Metropolis. 2 vols. Philadelphia: Hubbard Brothers, 1886.
- Pollard, Edward Albert. Lee and His Lieutenants. New York: E. B. Treat and Company, 1867.
- Randall, James Garfield. The Civil War and Reconstruction. Boston: D. C. Heath and Company, 1937.
- Randall, James Garfield, and Donald, David. The Civil War and Reconstruction. 2d ed. Boston: D. C. Heath and Company.
- Ravenel (Mrs.), St. Julien. Life and Times of William Lowndes of South Carolina. Boston: Houghton, Mifflin and Company, 1901.
- Rhodes, James Ford. History of the United States From the Compromise of 1850. 7 vols. New York: The Macmillan Company, 1892-1906.
- Richardson, James Daviel, compiler. Messages and Papers of the Presidents. 10 vols. New York: Bureau of National Literature, Incorporated, 1917.
- Schlesinger, Arthur Meier, Jr. The Age of Jackson. Boston: Little, Brown and Company, 1945.
- Schouler, James. A History of the United States of America. 7 vols. New York: W. H. and O. H. Morrison, 1880-1889.
- Van Deusen, Glyndon G. The Jacksonian Era: 1828-1848. New York: Harper and Brothers, Publishers, 1959.

Articles

- Brockriede, Wayne and Ehninger, Douglas. "Toulmin on Argument: An Interpretation and Application," The Quarterly Journal of Speech, XLVI (February, 1960), 44-53.
- Bryant, Donald Cross. "Rhetoric: Its Function and Its Scope," The Quarterly Journal of Speech, XXXIX (December, 1953), 401-424.
- Carr, Fannie White. "William Lowndes," South Atlantic Quarterly, I (1902), 365-371.
- Commanger, Henry. "England and the Oregon Treaty of 1846," Oregon Historical Quarterly, XXVIII (1927), 18-38.
- Ehninger, Douglas. "Validity as Moral Obligation," Southern Speech Journal, XXXIII (Spring, 1968), 215-222.
- James, Wilbur, and Vinson, J. C. "British Preparedness and the Oregon Settlement," Pacific Historical Review, XXII (November, 1953), 353-364.
- Klein, Philip Shriver. "The Inauguration of President James Buchanan," Journal of the Lancaster County Historical Society, LXI (October, 1957), 146-147.
- _____. "James Buchanan at Dickinson College," in John and Mary's College. Carlisle, Pennsylvania: 1956. pp. 157-179.
- Klingberg, Frank Wyson. "James Buchanan and the Crisis of the Union," Journal of Southern History, IX (1943), 455-475.
- Mattis, Norman W. "Thomas Hart Benton," History and Criticism of American Public Address, ed. Marie Hochmuth Nichols, 3 vols. New York: Longmans, Green and Company, 1955, III, 52-96.
- Merk, Frederick. "The British Corn Crisis of 1845-1846 and the Oregon Treaty," Agricultural History, VIII (1934), 95-123.
- _____. "British Government Propaganda and the Oregon Treaty," American Historical Review, XL (1934), 38-62.
- _____. "British Party Politics and the Oregon Treaty," American Historical Review, XXXVII (1932), 653-677.
- _____. "The Oregon Pioneers and the Boundary," American Historical Review, XXIX (1924), 681-699.

- Schafer, Joseph. "The British Attitude Toward the Oregon Question, 1815-1846," American Historical Review, XVI (1911), 273-299.
- Schuyler, R. L. "Polk and the Oregon Comprise of 1846," Political Science Quarterly, XXVI (1911), 443-461.
- Soward, F. H. "President Polk and the Canadian Frontier," Report of the Annual Meeting of the Canadian Historical Association, May 23, 1930, 71-80.
- Wichelns, Herbert A. "The Literary Criticism of Oratory," in Studies in Rhetoric and Public Speaking in Honor of James Albert Winans. New York: The Century Company, 1925, 181-216.

Newspapers

- Baltimore, Maryland. Baltimore American, March 6, 1857.
- Baltimore, Maryland. Baltimore Patriot, March 6, 1857.
- New York, New York. New York Daily Times, March 6, 1857.
- Savannah, Georgia. Savannah Morning Daily News, March 9, 1857.
- Washington, D. C. National Intelligencer, March 5, 1857.

BIOGRAPHICAL SKETCH

John Alton Campbell, Jr. was born November 24, 1931, at Clearwater, Florida. In June, 1949, he was graduated from St. Petersburg High School. In August, 1954, he received the degree of Bachelor of Science with a major in Business Administration from the University of Florida. From 1954 until 1956 he served in the Infantry Corps of the United States Army and was stationed in Europe. Following his discharge from the army, he enrolled in the Graduate School of the University of Florida. From 1957 until 1959 he worked as a graduate assistant in the Department of Comprehensive English. He received the degree of Master of Arts with a major in Speech in August, 1959. He taught English and Speech at Franklin and Marshall College from 1959 until 1965. From September, 1965, until the present time he has pursued his work toward the degree of Doctor of Philosophy in Speech at the University of Florida.

John Alton Campbell, Jr. is married to the former Barbara Ann Rees and is the father of four children. He is a member of Kappa Sigma, and the Speech Association of America.

This dissertation was prepared under the direction of the chairman of the candidate's supervisory committee and has been approved by all members of that committee. It was submitted to the Dean of the College of Arts and Sciences and to the Graduate Council, and was approved as partial fulfillment of the requirements for the degree of Doctor of Philosophy.

August, 1968

E. Ruffin Jones
Dean, College of Arts and Sciences

Dean, Graduate School

Supervisory Committee:

Donald E. Williams
Chairman

William E. Baringer
Herbert J. Doherty, Jr.
Franklin K. ...
E. ...

h²
60 15 11